



7 August 2019

Cat and Dog Statutory Review
Department of Local Government, Sport and Cultural Industries

Email: catanddogreview@dlgsc.wa.gov.au

Dear Review Team,

Submission to the statutory review of the *Dog Act 1976*, specifically as amended by the *Dog Amendment Act 2013*

Please find attached a submission jointly prepared by Greyhound Adoptions Western Australia Inc, a non-profit organisation dedicated to rehoming greyhounds exiting the racing industry, and Free the Hounds Inc, a greyhound welfare advocacy group based in Western Australia.

Greyhound Adoptions WA and Free the Hounds appreciate the opportunity to comment on the proposed review of the *Dog Act 1976* as amended by the *Dog Amendment Act 2013*.

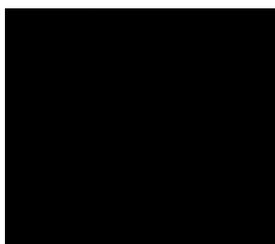
Our focus is on the breed-specific legislative provisions that unreasonably discriminate against pet greyhounds on the basis of their breed rather than individual dog behaviour. Greyhound Adoptions WA and Free the Hounds strongly support the petition that was submitted to the Legislative Assembly and the Legislative Council on 26 June 2019.

The attached submission explains our concerns and the reasons behind them, and sets out the rationale for the reforms that we propose.

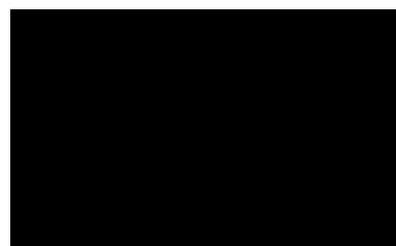
Representatives of Greyhound Adoptions WA and/or Free the Hounds would be happy to meet with the review team or to attend any public hearing to expand on the matters raised. If you wish to arrange this or have any other queries in relation to this submission please contact [REDACTED] on [REDACTED]

Both Greyhound Adoptions WA and Free the Hounds extend their thanks to Anne Hill who has been a key contributor to this submission on their behalf.

Yours sincerely,



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**SUBMISSION BY GREYHOUND ADOPTIONS WESTERN AUSTRALIA AND FREE THE HOUNDS
TO THE REVIEW OF THE DOG ACT 1976, AS AMENDED BY THE DOG AMENDMENT ACT 2013**

**Conducted by the WA Department of Local Government, Sport and Cultural Industries in compliance
with section 60 of the Dog Amendment Act 2013**

August 2019

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1. EXECUTIVE SUMMARY

Greyhounds Adoptions WA and Free the Hounds appreciate the opportunity to contribute to the review of the Dog Act 1976, as amended by the Dog Amendment Act 2013.

Our focus is on the greyhound-specific legislative provisions of the Dog Act 1976, some of which were original and others inserted by the Dog Amendment Act 2013. These provisions do not effectively serve the public interest and negatively affect pet greyhounds and their owners because they:

- unreasonably discriminate against greyhounds as a breed rather than focusing on individual dog behaviour;
- are not based on scientific evidence, incident statistics or good practice risk management;
- have the effect of promoting a false stereotype of pet greyhounds and causing unnecessary fear in the community, while fostering a false sense of security concerning other breeds;
- discourage members of the public from adopting greyhounds exiting the industry at a young age, which in turn leads to a high “wastage” rate;
- adversely affect the quality of life of pet greyhounds and inhibit normal canine socialisation, reward-based training and exercise opportunities;
- mislead the public both as to the nature of greyhounds and the effectiveness of the measures claimed to address the purported risk;
- do not adequately incentivise the industry to ensure that all greyhounds used in the racing industry are suitably re-homed, and
- unnecessarily hinder the efforts of concerned community groups in improving the re-homing rates of greyhounds discarded by the industry.

Our specific concerns are with the requirement that greyhounds be not only leashed but muzzled while in public areas (subsection 33(1)) and the prohibition on greyhounds exercising unleashed in leash-free dog exercise areas specified by local governments (subsections 32(1)(e) and 33(2)(a)). We do not believe that muzzling of leashed pet greyhounds is justified and these legal restrictions act against the interests of greyhound re-homing.

Western Australia is now one of only four known jurisdictions (along with South Australia, Tasmania and Northern Ireland) that require greyhounds to be muzzled in public purely on the basis of breed. Our submission examines the perceived societal risk associated with pet greyhounds and proposes risk mitigation measures.

Finally, we make specific recommendations for amendments to achieve reform for the benefit of greyhounds which, through no fault of their own, are in need of re-homing after the racing industry ceases to have a use for them in early adulthood, when they should have eight or more years of healthy life ahead of them as a gentle, sociable companion animal.

The three key reforms requested are removal of the requirement for pet greyhounds to be muzzled while leashed in public places; removal of the requirement for greyhounds to be leashed or tethered in dog exercise areas and recognition of the role of community-based organisations and foster carers in re-homing retired greyhounds.



2. ABOUT GREYHOUND ADOPTIONS WA AND FREE THE HOUNDS

Greyhound Adoptions WA (GAWA) is a not-for-profit organisation incorporated in WA under the *Associations Incorporation Act 2015* and run by volunteers. GAWA was established in 2008 and is fully self-funded by cash and in-kind donations, fund-raising activities and adoption fees. GAWA received a small State grant in 2017.

GAWA is dedicated to protecting and re-homing greyhounds that are deemed surplus by the greyhound racing industry in Western Australia. This surplus status arises due to retirement of dogs as a result of age or injury, or because they are deemed physically or temperamentally unsuited to racing (some have never raced). In support of this overarching purpose, GAWA undertakes activities including:

- public education and promotion of the benefits of rescued greyhounds as family pets;
- liaising with the racing industry to take in greyhounds no longer wanted by owners and trainers, and preparing the dogs for adoption (variously as needed: sterilisation, vaccination, treatment of injuries or other health problems, micro-chipping and temperament assessment);
- arranging fostering of greyhounds newly released from the racing industry to ensure socialisation, house-training and emotional transition to a loving home environment; and
- matching dogs to people or families wishing to adopt and arranging formal adoption, with appropriate follow-up to ensure a smooth transition.

GAWA is the largest greyhound rehoming organisation in Western Australia. Since 2008, GAWA volunteers have provided foster homes and successfully arranged permanent adoptions for over 2,000 greyhounds. In the 7 months to 31 July 2019, GAWA has fostered over 200 greyhounds and arranged adoptions for 162 greyhounds. This includes five greyhounds rescued from the notorious Macau Canidrome (closed in 2018) in collaboration with international partners.

GAWA has long experience in observing the impact of the greyhound-specific provisions of the *Dog Act 1976* on pet greyhounds and their owners, on the willingness of people to adopt rescued greyhounds, and on the flawed public perceptions of greyhounds that result from these provisions.

Free the Hounds (FTH) is a greyhound welfare advocacy group based in Western Australia and launched in August 2015. Free the Hounds is a non-profit organisation incorporated in WA under the *Associations Incorporation Act 2015*, whose members are deeply concerned about the welfare of greyhounds used and discarded by the racing industry.

Australia is one of the very few countries in the world that still has a commercial greyhound racing industry. FTH members would prefer that the greyhound racing industry was phased out completely, but while it exists in Western Australia, the group believes that it should be held to the highest possible standards of animal welfare and responsible risk-management, and be legally responsible for transparent, whole-of-life protection for the dogs bred for and used in the industry.

FTH believes that the current breed-specific legislative restrictions on pet greyhounds constitute an unnecessary barrier to both the industry and greyhound rescue organisations in their efforts to ensure that all greyhounds can enjoy a long and happy life as family pets after leaving the racing industry.



3. CURRENT ENVIRONMENT FOR GREYHOUNDS IN WESTERN AUSTRALIA

Currently, approximately 2,600 greyhounds are believed to live as registered pets in Western Australia. Almost all of these are ex-racing-industry dogs, although a significant number were “retired” without ever having raced.

Racing and Wagering WA (RWWA) has given a public commitment to ensuring that “the best levels of care are given to greyhounds throughout all stages of their lives”¹.

Until the late 1990’s, most greyhounds in WA were killed once they became surplus to requirements: known as industry “wastage”. The emergence of greyhound adoption agencies, including the industry’s own Greyhounds as Pets Program (1998) and GAWA (2008), has improved WA greyhounds’ chances of survival, and we welcome the significant improvement in welfare outcomes for registered greyhounds.

The normal life expectancy of greyhounds is 12 -14 years. Racing dogs tend to be retired at around 3-5 years old as they lose their speed and become less competitive. Those deemed unsuitable for racing or unlikely to be competitive may be “retired” as young as 18 months old. According to figures published by RWWA², the number of dogs euthanised because they were considered “unsuitable for racing” was reduced from 104 in 2015/16 to zero in 2017/18. The industry is to be commended on this achievement, which gives the hope of a full life to young dogs who have never raced.

However, the large number of ex-industry adult greyhounds needing post-retirement homes each year is a significant challenge for both the industry-based and volunteer adoption agencies. While according to RWWA’s figures, the number of dogs euthanised due to race-related injuries has also reduced significantly since 2015/16, one consequence of this is that more injured greyhounds must be re-homed, which adds significantly to the veterinary expenses of re-homing organisations and the difficulty of finding people willing to take on a dog with potentially life-long disabilities.

We are also concerned that there is no transparency about the number of greyhound puppies born annually or what happens to those puppies who are judged unsuitable prior to registration, nor on the number of dogs exported out of the State or their destination.

We understand that re-homing greyhounds discarded by the racing industry does not address the underlying systemic problems of retired greyhound supply exceeding demand (as indeed total unwanted dog supply exceeds demand³). Unnecessary legislative restrictions that make greyhounds less attractive for adoption, and cause re-homed greyhounds to lead a more restricted life than other dog breeds, only exacerbate the situation while delivering no verifiable public benefits.

¹ See <https://www.rwwa.com.au/welfare/greyhound-welfare/>

² See RWWA Annual Reports 2016/17 and 2017/18- <https://www.rwwa.com.au/about/corporate/corporate-reports/annual-report/>

³ During the debate on the Dog Amendment Bill 2013, the Member for Maylands noted that approximately 33,000 dogs are euthanised in WA annually, although many of these occur for veterinary or other humane reasons.



4. FOCUS ON THE DOG'S BEHAVIOUR, NOT ITS BREED

A dog of any breed or size may, under certain circumstances, show aggression, chase, attack or bite people or other animals. There is no evidence that greyhounds are inherently more prone to such behaviour than any other breed kept by responsible owners, or that any disposition to do so is a result of unalterable genetics rather than an outcome of poor training and human attitudes, including severely provocative behaviour.

Greyhounds are sighthounds, a type that includes breeds such as the afghan hound, basenji, borzoi, deerhound, saluki, whippet and wolfhound. Sighthounds typically have lean bodies, long legs, flexible backs, superb vision and deep chests to support a large heart and lungs. All sighthound breeds are high-speed short-distance sprinters with a tendency to having a strong prey drive, but between sprints they tend to be docile and sedate. In Australia, the greyhound is the only sighthound singled out for breed-specific restrictions⁴.

Numerous studies have indicated that breed-specific legislation leads to unrealistic public perceptions and assumptions:

1. *An increased public perception of threat from specific breeds based on an assumption that all dogs of that breed exhibit that behaviour and are therefore 'bad, dangerous and untrustworthy'.* This affects people's behaviour around any dog of that breed, or any dog that they think might "look like" a dog of that breed, causing stress and anxiety to the dog and owner and in some cases encouraging deliberate provocation. It also discourages people from adopting homeless dogs of that breed or physically similar to that breed, leading to well-adjusted and socialised dogs that could have become wonderful companion animals unnecessarily languishing in pounds or being euthanised.
2. *The lack of perceived threat from other breeds based on the assumption that the behaviour at which the breed-specific legislation is aimed is confined to that breed and that other breeds rarely or never exhibit it.* This leads to a false sense of security and potentially failure to recognise warning signals from individual dogs of other breeds. While a bite from a small dog may do less physical damage than a bite from a large dog, injuries and psychological trauma, especially to infants or small pet animals, can still be severe. A strong prey drive is no less common among other dog breeds bred for hunting and herding – such as terrier types, beagles, or collies, or other fast sighthounds such as whippets or Italian greyhounds – as it is in greyhounds.

The WA Dog Act contains robust mechanisms for dealing with individual dangerous dogs, regardless of breed. In fact, the WA legislation specifically distinguishes between greyhounds and "dangerous dogs", implicitly recognising that greyhounds are not inherently dangerous dogs (see subsections 32(5) and 33(4)).

⁴ Northern Ireland, the only other country with comparable legislation, applies muzzling and leash restrictions to greyhounds, whippets and "crosses" of these breeds, including lurchers, although no guidance is given on identifying a dog of mixed but unknown parentage.



The recent Victorian Parliamentary Inquiry into the Legislative and Regulatory Framework Relating to Restricted Breed Dogs attracted a large number of submissions.⁵ Recommendations resulting from this inquiry eventually led to the removal of compulsory muzzling for pet greyhounds in Victoria from 1 January 2019, and the arguments raised by those submissions are equally applicable to Western Australia.

GAWA and FTH agree with peer organisations and expert opinion⁶ that the public interest and animal welfare considerations would be better served by replacing breed-specific legislation with the successful and globally acknowledged “Calgary” model⁷ which shifts the focus from “animal control” emphasising enforcement to “responsible pet ownership” emphasising outcomes.

The Calgary model takes as its prime directive “punish the deed not the breed” to deal with the risk of “dangerous” dogs in a non-discriminatory, practical and cost-effective way that takes due consideration of animal and human welfare. A key element of the evidence-based model is recognition of the importance of effective incentives and public education directed towards dog owners, prospective owners, and everyone who may encounter dogs.

⁵ This submission will not repeat in detail the excellent arguments made by a number of qualified organisations and individuals to the Victorian inquiry, but the review team is urged to take those arguments into consideration. See <https://www.parliament.vic.gov.au/404-eic-lc/inquiry-into-the-legislative-and-regulatory-framework-relating-to-restricted-breed-dogs>

⁶ See for example: Creedon, N and O’Sulleabhain, P S (2017) Dog bite injuries to humans and the use of breed-specific legislation: a comparison of bites from legislated and non-legislated dog breeds. Irish Veterinary Journal 70:23.

https://www.researchgate.net/publication/318612983_Dog_bite_injuries_to_humans_and_the_use_of_breed-specific_legislation_A_comparison_of_bites_from_legislated_and_non-legislated_dog_breeds (Accessed 19 July 2019 – study cites other international research) Also Binkowski, Brooke (2016) Breed Specific Legislation and Dog Bites <https://www.snopes.com/news/2016/10/25/bsl-and-dog-bites/> (accessed 19 July 2019)

⁷ See <https://www.calgary.ca/CSPS/ABS/Pages/Animal-Services/Responsible-pet-ownership-by-law.aspx>



5. CURRENT LEGISLATIVE ENVIRONMENT FOR PET GREYHOUNDS IN AUSTRALIA AND ELSEWHERE

The table below summarises breed-specific legislation targeting greyhounds in Australia and the remaining countries where Government-sanctioned commercial greyhound racing operates.

Jurisdiction	Greyhounds in off-leash exercise areas	Greyhounds in other public places	Notes
Western Australia	Breed-specific requirements for greyhounds to be both muzzled (unless eligible for muzzle exemption) and leashed	Breed-specific muzzle requirements (other than if dog has completed a “prescribed training program”)	<i>Dog Act 1976</i> ; Dog Regulations 2013
Victoria	No muzzle required, but greyhounds must be leashed	No breed-specific muzzle requirements	Reforms effective 1 January 2019 as a Governor’s exemption order
ACT	No breed-specific restrictions	No breed-specific muzzle requirements	Reforms effective 15 June 2017
NSW	Greyhounds may be off-leash in dog exercise areas if under effective control, but must wear a muzzle if off-leash (unless eligible for muzzle exemption)	No breed-specific muzzle requirements	Reforms effective 1 July 2019. The requirement for muzzling in off-leash areas is transitional pending further policy development and a new Animal Welfare Code of Practice
Queensland	Most local government areas do not have breed-specific restrictions	Most local government areas do not have breed-specific muzzle requirements	Reforms effective 2017. Under State legislation power lies with local councils
Northern Territory	No breed-specific restrictions	No breed-specific muzzle requirements	Restrictions never in place
South Australia	Breed-specific requirements for greyhounds to be both muzzled (unless eligible for muzzle exemption) and leashed	Breed-specific muzzle requirements (other than prescribed exemptions)	<i>Dog and Cat Management Act 1995</i> ; Dog and Cat Management Regulations 2017
Tasmania	Breed-specific requirements for greyhounds to be both muzzled (unless eligible for muzzle exemption) and leashed	Breed-specific muzzle requirements (other than prescribed exemptions)	<i>Dog Control Act 2000</i>
Northern Ireland (not the rest of the UK)	Greyhounds must be leashed and muzzled	Greyhounds must be leashed and muzzled	<i>Control of Greyhounds etc Act (Northern Ireland) 1950</i> Definition of greyhound is “any greyhound or whippet and any breed, strain or cross thereof”



Jurisdiction	Greyhounds in off-leash exercise areas	Greyhounds in other public places	Notes
UK (except Northern Ireland)	No breed-specific restrictions	No breed-specific requirements	Legislation contains breed-specific restrictions (not greyhounds)
Republic of Ireland	No breed-specific restrictions	No breed-specific requirements	Legislation contains breed-specific muzzle restrictions for 11 breeds (not greyhounds)
USA	No breed-specific restrictions	No breed-specific requirements	Some local legislation contains breed-specific restrictions (not greyhounds)
New Zealand	No breed-specific restrictions	No breed-specific requirements	Legislation contains breed-specific restrictions (not greyhounds)
Mexico	No breed-specific restrictions	No breed-specific requirements	Some local legislation contains breed-specific restrictions (not greyhounds)
Vietnam	No breed-specific restrictions	No breed-specific requirements	No breed-specific restrictions

Greyhound racing occurs in a further 21 countries⁸ on a “non-commercial” basis without specific State sanction or regulation. Some of these countries have national, regional and/or local breed-specific legislation (restrictions may include banned and restricted breeds, special muzzling or leashing requirements, compulsory sterilisation, ownership restrictions, differential taxes, compulsory training/insurance). The breeds singled out for special legislative treatment vary widely between countries and between jurisdictions within countries⁹. However, none of these countries or their subordinate jurisdictions apply their breed-specific legislation to greyhounds.

⁸ See <https://www.grey2kusa.org/about/worldwide.php>

⁹ See breed-specific restrictions for multiple countries at <https://petolog.com/articles/banned-dogs.html> and at <https://www.pettravel.com/passportnew.cfm>



6. WESTERN AUSTRALIAN LEGISLATION

6.1 History

The *Racing Restriction Act 1927* specifically prevented the introduction of “tin hare” greyhound racing in Western Australia due primarily to concern about permitting further opportunities for gambling, as the sport was inextricably linked with gambling elsewhere¹⁰. Whippet racing¹¹ was then a low-key sport in WA although (arguably because) betting on it was illegal. Unlike Victoria and NSW, greyhound coursing had never really established in WA due to the absence of hares or rabbits.

Commercial greyhound racing therefore commenced much later in WA than other Australian states. The *Greyhound Racing Control Act 1972* opened the opportunity by exempting greyhound racing from the *Racing Restriction Act 1927* and establishing a governing body: the Greyhound Racing Control Board. The *Dog Act 1903* was also amended in 1972 to introduce muzzling and leashing requirements for greyhounds when not on the owner’s premises. At the same time, the *Prevention of Cruelty to Animals Act 1972* amended section 4(1) of the *Prevention of Cruelty to Animals Act 1920* to prohibit live coursing or possessing any animal (not being a greyhound) for the purpose of using it in connection with racing or training greyhounds.

The Board’s Greyhound Racing Rules 1973 required all greyhounds to wear muzzles while competing or waiting in kennels to compete (clause 135 – this was for the protection of the greyhounds themselves) and while being led in a street or road by an owner, trainer or attendant (clause 246). The Rules also (clause 245) prohibited the use of any live animal or bird in greyhound racing or training.

Live baiting has therefore always been illegal in WA and has never been condoned by the responsible greyhound racing industry here¹².

The industry expanded rapidly after the first metropolitan greyhound racing track (Cannington) was completed in 1974¹³. In the early days, only one race meeting per week was held in a single venue, supporting about eight races. Now, six meetings per week are conducted across three venues⁸.

The current muzzling and leashing provisions of the *Dog Act 1976* concerning greyhounds are substantially unchanged from those that appeared in the first version of that Act, which was passed less than two years after commercial greyhound racing commenced in WA and essentially continued the provisions introduced by the *Dog Act Amendment Act 1972*, although the maximum number of greyhounds that could be controlled by one person was reduced from four to two.

The pros and cons of compulsory muzzling restrictions for greyhounds were not debated by Parliament when it considered the legislation in either 1972 or 1976. However, they substantially mirrored those of Victoria, which in turn were originally drafted in the nineteenth century¹⁴ in a very different environment

¹⁰ See Hansard Legislative Assembly 15 November 1927 pages 1852-1887.

¹¹ Whippet racing did not involve a lure – the dogs ran towards a man with a flag.

¹² The possibility of rogue trainers is acknowledged, and there is evidence that illegal live baiting incidents may have occurred in WA, but RWWA does not tolerate it and the incidence is understood to be rare.

¹³ See <https://www.rwwa.com.au/about/history/greyhound-history/>

¹⁴ The *Victorian Dog Act 1890* (section 22) stated that greyhounds must be muzzled when being exercised or trained within the limits of any city, town or borough other than in their owners’ premises. At that time all such “training” was for the purposes of live coursing. Modern greyhound racing with mechanical lures came to Australia in 1927 (only NSW initially as gambling was legal there and the sport had not proven popular elsewhere without it). However, the Victorian greyhound muzzling legislation remained effectively unchanged until the 21st century and was copied by several other states without understanding its origin.



when greyhounds were primarily used for live coursing, modern greyhound racing with mechanical lures was unknown and greyhounds as purely companion animals was a laughable notion.

When the *Dog Act 1976* was passed, the population of greyhounds in the State was barely in the hundreds, and very few greyhounds were kept as pets.

Relevantly, during the second reading debate on the Dog Amendment Bill 1987, following a review of the 1976 Act, the then-Minister for Local Government stated:

*“A number of recommendations of the committee have not been accepted, perhaps the principal one being the compulsory muzzling of German Shepherd or potentially dangerous breeds of dogs. This proposal attracted considerable public opposition and **it is considered discriminatory to single out one breed of dog** as many other large or small breeds may be equally dangerous. **In view of the proposal for all dogs in public places to be restrained on a leash the need for muzzling is not seen to be justified.**”¹⁵*

Despite this public acknowledgement, the requirement for greyhounds (and only greyhounds) to be muzzled while leashed in a public place was retained in the Act without even being mentioned in the debate.

Special-purpose, fenced, off-leash dog exercise areas for pet dogs did not exist in 1976. Sections 31 and 32 of the Act relating to dog exercise areas were inserted in 1987, with the point being made in that debate:

*“...exercise areas should be made available to dog owners so that they can exercise their dogs in a proper manner, because **not to provide such areas means we not only discriminate against the owners or the people in control of the dogs at any given time but also against the dogs themselves by not allowing them to be exercised in a proper way**”¹⁶.*

No member disputed this statement, yet when the Act was published, section 33 prohibited greyhounds (and only greyhounds) from being able to exercise leash-free in dog exercise areas, although this discriminatory provision had not been debated during the consideration of the Bill.

6.2 Current

The Dog Amendment Act 2013 allowed local governments the power to declare individual dogs as dangerous dogs based on behaviour. This was a positive move and the logical step would have been to allow this to supersede breed-specific¹⁷ (including greyhound-specific) provisions. However, not only were the greyhound-specific restrictions retained, but section 32(1) was amended to make it even more clear that unlike any other breed of dog, greyhounds were prohibited from exercising off-leash in areas set aside for off-leash exercise of pet dogs. Once again, this discriminatory provision was passed without being explained in the second-reading speech or debated.

¹⁵ (Emphasis added.) See Hansard, 7 April 1987 (Legislative Assembly), p. 309 – Second Reading Speech by Hon. Jeffrey Carr, MLA.

¹⁶ (Emphasis added.) See Hansard, 19 May 1987 (Legislative Assembly), p 1089 – comment by Mr George Cash MLA.

¹⁷ It is recognised that many Members of Parliament during the debate on the Dog Amendment Act 2013 raised serious and legitimate concerns about breed-specific legislation, including noting that most reliable research discredits the idea that it improves public safety, and that it is virtually impossible to accurately and definitively identify a dog as a restricted breed, particularly for mixed breed dogs. However, in relation to restricted breeds, we understand that WA is bound by a national (COAG) agreement to legislate against them. This agreement does not apply to greyhounds.



The *Dog Amendment Act 2013* exempted a greyhound from wearing a muzzle outside its home if it “successfully completed a prescribed training programme” (subsection 33(1)(b) of the Dog Act). At present, Regulation 28 of the Dog Regulations 2013 states that the only “prescribed training programme” is that known as the “Greyhounds as Pets Program” conducted by RWWA, which assesses greyhounds for “Green Collar Status”. This is discussed in detail below.

6.3 “Prescribed Training Programme” in WA

The intent of subsection 33(1)(b) of the Dog Act was doubtless well-meaning, and a review of the Parliamentary debate of the Dog Amendment Bill 2013 suggests that many Parliamentarians genuinely believed that it would address what was even then agreed to be an inequitable and unnecessary restriction on pet greyhounds. Several speakers to the Bill noted that greyhounds are gentle and sociable pets and welcomed the easing of muzzle restrictions. However, subsection 33(1)(b) was not based on an acknowledgement that greyhounds are naturally non-aggressive, but embedded the presumption that all greyhounds are aggressive unless proven otherwise through “prescribed training”.

In practice, relatively few non-Greyhound as Pets (GAP) greyhounds have benefited from subsection 33(1)(b). Only the industry body (RWWA operating through its GAP program) is permitted to issue “Green Collars”. There is no public information about what “training” is actually provided and the “Green Collar” is fundamentally not a training program but merely a temperament assessment¹⁸. The GAP website makes it clear that they only re-home greyhounds that have passed the assessment and reported figures still contain a disturbingly high rate of euthanasia on the basis of “not suitable for re-homing”, which should not be the case if an effective training program is in place.

Should the owner of a greyhound obtained from a rescue organisation other than GAP wish to have their dog exempted from the muzzle requirements, the GAP methodology is to take a dog that may only recently have found a family home, place it back in a kennel environment away from its new-found family for four days and then “assess” it at a point in time in the absence of any familiar person. This is a stress-test not imposed on any other breed of dog. The owner is charged \$175 for the assessment, which does not include any training to prepare the dog (or even advice to the owner on training to prepare their dog).

Even if the dog passes, GAP makes it clear that the assessment is only valid for a leashed dog in a public place. The assessment provides no indication of how the dog may behave at home or in an unleashed environment. Because it is a point-in-time assessment rather than a training program, it doesn’t address the potential for changes in a dog’s behaviour due to life experiences after the assessment.

The Dog Act and Dog Regulations 2013 contain no provision for any other organisation to be approved to offer a greyhound re-training program or to undertake temperament assessments, and inquiries by GAWA have revealed that there is no system in place for other rescue organisations to apply to register a “prescribed training programme” for the purposes of subsection 33(1)(b).

It is noted that during the 2013 Parliamentary debate on the amendments to subsection 33(1)(b), the then-Minister rejected a proposed amendment for an “accredited” training program in preference to the “prescribed” option, and indicated that discussions were then underway to agree on nationally accepted qualifications for assessors, but this has not occurred in WA and the industry retains a monopoly on assessment.

¹⁸ The National Temperament Testing Assessment, also known as the Greyhound Adoption Programme National Temperament Test.



By contrast, the NSW Greenhounds program, which is also run by the greyhound racing industry, involves either an approved greyhound re-training program (see the NSW Government "Guidelines for approval as a greyhound re-training program"¹⁹) or a guided in-home re-training program to be undertaken over six weeks prior to assessment by an approved assessor. Approved assessors must hold specified qualifications and complete a one-day training course in the assessment methodology. Assessments are done away from home (the focus is still on behaviour in a public place) but do not require a kennel-stay, and thus minimise stress on the dog.

The muzzle-exemption "training" requirement in the WA Dog Act for greyhounds (and only greyhounds) is considerably more restrictive than the provisions in sections 33H or 46A relating to training as a prerequisite for revoking a dangerous dog declaration (under section 33F) or revoking a notice under section 33G to have a dangerous dog seized and destroyed. In these cases, the training course is one "approved by the local government" (subsection 33H(2)) or "a dog training course specified in the (court) order" (subsection 46A(1)).

6.4 Future training programs

It is clear that a requirement for leashed pet greyhounds to be also muzzled is a "belts and braces" approach that is unnecessary and practiced almost nowhere else in the world. There is no evidence that pet greyhounds that have been granted "Green Collar Status" in WA make better or safer pets than pet greyhounds without that status.

However, it is true that re-homed greyhounds are generally older than most dogs when they enter obedience training, and many pet greyhound owners discover that their dogs find learning basic obedience commands (such as recall) challenging. This can also be the case for adult rescue dogs of other breeds.

There is merit in requiring all rescue dogs to undergo a standard health and behavioural assessment, and accrediting suitably qualified assessors to ensure reliable consistency in assessment. Such an assessment may result in a recommendation for specific training or for an individual dog to be muzzled until it has fully settled into its new home²⁰. There is a place for high-quality, practical programs designed to train adult rescue dogs, including greyhounds, for off-leash behaviour and prey-drive management with the specific objective of preparing them for off-leash dog exercise areas.

Should an individual greyhound at any time behave in a way that causes it to be declared as a dangerous dog, it (and its owner) may be referred to a different type of specialised training course under sections 33H or 46A as would be the case for a dog of any other breed.

¹⁹ At present, no approved re-training programs have been listed on the NSW Greenhounds website.

²⁰ NSW requires newly rescued greyhounds to be muzzled for the first eight weeks, and to be muzzled in off-leash dog exercise areas until further policy has been developed.



7. IMPACT OF CURRENT RESTRICTIONS IN WA DOG ACT

The current greyhound-specific restrictions in the WA Dog Act have had several unintended negative consequences that were probably not foreseen in 1976, when very few greyhounds were kept as pets. Certainly, the current crisis of trying to re-home up to 1,000 discarded racing greyhounds annually would not have been anticipated. At the time that the legislation was passed, there was less public repugnance concerning animal welfare breaches or the slaughter of unwanted dogs, at least partially because the public generally wasn't aware of it.

As in other states, dogs born or imported into the WA racing industry in its early days were usually killed when they stopped winning. With very few exceptions, at the time these legislative restrictions were voted into law in WA, greyhounds fell into three categories: greyhounds actively racing, greyhounds being reared and trained to race, and breeding stock. In 1976, the muzzle laws really affected only racing owners and trainers.

In 2019, there are many more pet greyhounds in the community, many of which have never raced or raced only a few times. Coursing and live baiting have never been legal here and the industry as a whole has made a public commitment to animal welfare and its responsibility for its dogs. Public expectations have also changed, with less tolerance of the treatment of dogs as a commodity, to be killed when they have outlived their commercial usefulness.

Few people would now argue that a greyhound has no right to live out its natural lifespan as a pet after leaving the racing industry. In the “nature vs nurture” debate, there is much more acceptance of the influence of environment in shaping behaviour and temperament, and an increasing understanding that greyhounds are no different from other dogs if properly socialised, well-treated and trained.

7.1 Impact on greyhounds and effective re-homing

The impacts of the current greyhound-specific restrictions in the WA Dog Act include the faulty perceptions generated by breed-specific legislation as noted above as well as consequences specific to greyhounds:

1. *Breed stereotyping* - Compulsory muzzling of pet greyhounds generates an entirely false public perception that these naturally gentle, sociable and quiet dogs constitute a public menace and are so dangerous that they cannot be trusted in public without a muzzle. In fact, a greyhound would much rather run or hide from a threat than meet it with aggression.
2. *False sense of security* - Singling out greyhounds for compulsory muzzling gives the misleading public impression that non-greyhounds must be “safe” because they are not required to wear muzzles in public, which is not necessarily true. Any breed²¹ of dog may include individuals that are prone to aggression depending on temperament, poor training and circumstances, including provocation. Aggression is also by no means limited to large dogs, as many vets will attest.
3. *Increased risk of attack by other dogs* - Requiring a pet greyhound to be muzzled in a world where other dogs are not subject to that requirement invites aggression from other, unmuzzled dogs. Requiring greyhounds (and only greyhounds) to be leashed in off-leash areas also puts the greyhound at risk of being targeted by unleashed dogs in an exercise area, particularly since in

²¹ At various times, German Shepherds, Dobermans, Rottweilers and other breeds have been demonised as “aggressive breeds” and terriers are notorious for chasing other animals; yet there is no legislative requirement for them to be muzzled just because of their breed.



such situations unleashed dogs can act as an intimidating group against the solitary leashed “outsider”²². The greyhound is naturally docile, but the current law renders it both a target for aggression and highly vulnerable, able to neither engage in naturally defusing social behaviours, run nor defend itself from attack. This increases the risk for greyhound owners, who may themselves be injured while attempting to protect their dog from other dogs.

4. *Inhibits effective training methods* - Modern training techniques have largely abandoned the old harsh correction-based methods of teaching dogs to follow commands in favour of reward-based training, including treats enjoyed immediately after “success”. A dog cannot easily access a treat through a muzzle, and this frustration breaks the link between the successful behaviour and an immediate reward. This limits the ability of owners to train a new pet greyhound in a variety of situations, including public places.
5. *Unnecessary discomfort and distress* - Greyhounds that are ejected from the industry when very young have not become habituated to the discomfort of muzzles. Claims that muzzles are “comfortable”, that greyhounds “don’t even notice they’re wearing them” or that muzzles “don’t interfere with a dog’s natural behaviour” are due more to wishful thinking and justification-spin than observation. Just like other dogs fitted with an awkward and distracting head-piece, greyhounds without years of muzzle-wearing experience will rub, scrape at and try to remove the muzzle, and show sad frustration when they can’t do normal “doggy” things such as snuffle in bushes or leaf litter, pick up a dropped treat or toy, engage in close-quarters socialisation with other dogs or show affection to their owner with casual licks.
6. *Denial of breed-appropriate exercise* - The requirement that greyhounds must not only be muzzled but leashed in off-leash dog exercise areas effectively denies pet greyhounds the opportunity and pleasure of exercising their physical potential once they have left the racing industry. Greyhounds are bred to run, they are built to run, and as anyone can see who has witnessed the delirious joy of a greyhound doing “zoomies” or running at top speed for pleasure (not chasing anything), they adore running. This restriction on appropriate vigorous exercise for a healthy dog is quite needlessly cruel.
7. *Discourages adoption* – Many people like the idea of adopting a retired greyhound, but dislike the idea of having to keep it muzzled on walks, with the negative public reaction that this incurs, and of being prohibited from enjoying an unleashed run or a throwing game with their dog on a recognised dog beach or in a dog-exercise area. The significant fines associated with treating their pet greyhound like any other pet dog is a disincentive to choose a greyhound when there are other breeds available.

7.2 Support for community re-homing bodies and for foster care of greyhounds

Greyhounds bred for the racing industry have an early life that is very different to most dogs bred and reared as companion animals. They spend their puppyhood and adolescence, and in most cases the first 2-4 years of their adulthood, in a kennel environment. They are caged much of the time and have limited socialisation with people, dogs that are not greyhounds, or other animals. When it comes time to be re-homed, they have little or no experience with being in a normal home environment or around multiple people and other pets in a family or social setting. They may not be fully toilet-trained, have never really

²² Many local governments recognise this risk, erecting signs at exercise areas warning people not to keep their dogs leashed in a leash-free area. For greyhounds subject to the current Dog Act restrictions, this is an effective ban on using such areas.



learned how to play, and may have no experience with stairs, glass doors or the noise of appliances, telephones, music and the like. It can be an anxious time for the dog, which does not know what is expected of it, and which may be traumatised by previous experiences.

GAWA, like most greyhound rescue organisations, relies on volunteer foster carers, who will give a dog a transitional home between kennel and adoptive family, and help to teach it how to be a pet dog. Sometimes emergency accommodation is needed for a dog that is suddenly homeless, and volunteers will take the dog until other arrangements can be made. It is important that the legislation facilitates the foster-caring element of re-homing dogs (greyhounds are not the only breed that may need foster-carers).

Currently, the legislation is not supportive in its limited exemptions for registration of dogs (subsection 7(3)), if the dog has been deregistered under the *Racing and Wagering Western Australia Act 2003* before being found a permanent post-retirement home. In Western Australia, greyhound adoptions are arranged through GAP, community-based re-homing organisations (primarily GAWA and GreyhoundAngels of WA) or privately by owners and trainers.

RWWA's own statistics²³ show that community-based greyhound re-homing organisations play a major role in re-homing retired greyhounds, with the community adoptions significantly exceeding GAP adoptions until 2017/18. RWWA's figures actually over-estimate the number of dogs adopted through the GAP and owners/trainers, and under-estimate those re-homed by community-based organisations.

This comes about because neither GAP nor most owners/trainers accept adopted greyhounds back if for some reason the new relationship does not work after the cooling off period. Dogs from "failed adoptions" therefore enter the community-based re-homing system, but this is not reflected in the statistics which relate only to the first adoption post-retirement.

The legislation discriminates against community-based re-homing organisations, because only RWWA is currently a prescribed body under subsection 7(3)(b)(iii) (regulation 11, Dog Regulations 2013) for registration exemption. There is no guidance or formal process for volunteer greyhound re-homing organisations to become prescribed bodies under section 7(3)(b)(iii), or recognition of the importance of greyhounds being fostered in family homes during their transition from a kennel environment to a permanent home. Even for GAP, the registration exemption only applies while the dogs are in the GAP's own kennel, although they too recognise the critical role that fostering can play in rehabilitating retired greyhounds and it is a key part of their program.

²³ See 2017/18 and 2016/17 RAWA annual reports - <https://www.rwwa.com.au/about/corporate/corporate-reports/annual-report/>



8. RISK MANAGEMENT

GAWA and FTH recognise that there is legitimate anxiety about the risk of any dog to the safety of other animals and people, especially children. Some people may feel that a greyhound embodies a different sort of risk compared with other breeds of pet dogs. This is at least partly due to the compulsory muzzling law that singles out greyhounds and unjustly brands them in the public eye as “dangerous” even though the individual dogs have not been declared dangerous under the Act.

Effective public policy and by extension effective legislation is based on robust evidence, rational and calculated risk management and practicality of implementation. The primary risks that policy makers may want to address with respect to pet greyhounds are listed below.

8.1 Risk of injury to people

The Reality

A 2005 AIHW report²⁴ estimated that approximately 11.3 people/100,000 population are hospitalised annually in Australia due to dog-related injuries (compared with 546 transport-related and 40 unintentional poisoning from pharmaceutical substances).

Of those dog-related injuries where location was specified, over 80% occurred in the victim’s or another person’s home. The SA Health Commission, cited by the AIHW report, found that 75% of dog-related injuries involved a dog owned by a family member or friend. Dog-related injury rates were highest for children <10 years old and people >80 years old, with almost half of the injuries to elderly people caused by striking (e.g. running into, jumping up/scratching or causing trips) rather than biting.

The Kidsafe WA Childhood Injury Bulletin 2017-18²⁵ found that animal-bite injuries (not all were dogs) were responsible for about 1.2% of injury-related hospital attendances by children <16 years (less frequent than insect stings at 1.4%). Bites (not only dogs) and stings accounted for 2.5% of all children seen in the Perth Children’s Hospital Emergency Department for injuries received at home (77% of these occurred in the back or front yard) in the 10 years to June 2018²⁶.

Of the cases where the breed of dog was identified, pet greyhounds are conspicuous by their absence²⁷, even though they are not required to be muzzled in their homes, which is where most bites occur.

All dog-related injuries must be regarded seriously, but risk mitigation measures imposed through legislation need to be proportionate to societal risk, and the negative consequences of the risk mitigation mechanism measured against the realistic and likely public benefit. Frequently, individual risk is better managed through behaviour change driven by education and awareness.

²⁴ Kreisfeld, R and Harrison, J (2005) Dog-related Injuries. NISU Briefing #2 September 2005, AIHW National Injury Surveillance Unit and Flinders University. <https://www.aihw.gov.au/reports/injury/dog-related-injuries-briefing/formats> (accessed 19 July 2019).

²⁵ Sherlock E, Skarin D & Tsvetkov A. Kidsafe WA Childhood Injury Bulletin: Annual Report 2017-2018. Perth (WA): Kidsafe WA (AUS); 2018 Dec. <http://www.kidsafewa.com.au/wa-childhood-injury-surveillance-bulletins-amp-reports-professionals> (Accessed 19 July 2019)

²⁶ McKenna, J, Skarin D. Kidsafe WA Childhood Injury Research Report: Injuries within the Home. Perth (WA): Kidsafe WA (AU); 2019 June. <http://www.kidsafewa.com.au/wa-childhood-injury-surveillance-bulletins-amp-reports-professionals> (Accessed 19 July 2019)

²⁷ A high profile case involving an infant in Victoria in February 2019 involved a racing greyhound that escaped its cage, although most media reports chose not to include this detail.



Recommended Mitigation

Injuries at home - The most effective way to reduce this risk is through public education about safely interacting with dogs and on the danger of unsupervised contact between children and dogs. Young children should never be left unsupervised with any pet, regardless of species, breed or age and physical barriers should be used to separate dogs and young children where direct and constant supervision is not practical. Kidsafe WA publishes such messages, and GAWA provides advice to all prospective pet greyhound owners and foster carers to this effect.

Children should be taught at an early age not to tease, provoke or rough-handle a dog, and never to approach a dog that is eating, sleeping, nursing pups or chained. Ideally, such guidance comes from parents. However, it has also been found that a single dog bite prevention lesson incorporated into a regular school day can dramatically reduce high risk behaviours towards dogs by children²⁸. Incorporating such messages into school curricula at both pre-school and primary school level is a cost-effective risk mitigation measure.

Injuries in public places – The Dog Act already provides for all dogs to be under effective control when in any public place and to be leashed in public places other than official dog exercise areas. This is an appropriate level of risk management for both bites and “striking” injuries, both of which are more likely to be inflicted by dogs running loose and uncontrolled.

GAWA further provides advice to pet greyhound owners, prospective owners and foster-carers that extendable and over-long leashes should not be used for greyhounds for the dogs’ own safety²⁹. Legislation requiring greyhounds with no history of aggression to be muzzled when being walked on a leash provides no significant further risk mitigation.

Removing the compulsory muzzling requirement for leashed greyhounds would free-up more time for local government rangers to focus on enforcement of the Dog Act for breaches that involve actual risk to the community or cause genuine nuisance. Muzzle laws for greyhounds are not based on evidence or risk assessment, and enforcement of these laws is not an effective or efficient use of rangers’ time as it is not outcome-oriented.

As then-Minister Carr stated more than 32 years ago: “In view of the proposal (*now law*) for all dogs in public places to be restrained on a leash the need for muzzling is not seen to be justified.”³⁰

8.2 Risk of injury to other animals

The Reality

As descendants of hunting carnivores, all dogs have some prey drive, with it being higher in breeds that have been selected over multiple generations for prowess in hunting. Prey drive may manifest as tracking, flushing, herding and/or chasing. If the dog catches its quarry, it may play, retrieve or attack it,

²⁸ Kahn A., Bauche P., Lamoureux J. "Child victims of dog bites treated in emergency departments: A prospective survey." *European Journal of Pediatrics*, 2003; 162(4) 254-8). Chapman, S., Cornwall, J., Rihett, J., Lynne, S., Grossman, D. 'preventing dog bites in children: Randomized controlled trial of an educational intervention.' *The Western Journal of Medicine*, 2000; 173(4) 233. Quoted in “Safety Around Dogs” <https://www.safetyarounddogs.org/statistics.html> (Accessed 19 July 2019).

²⁹ A greyhound can reach its full speed of about 70kph within six strides, so can suffer serious injury if allowed to run to the end of a retractable or recall-training lead before being jerked to a stop.

³⁰ See Hansard 7 April 1987 (WA Legislative Assembly), p 309.



sometimes fatally. Many dogs will, if permitted, chase small animals/birds, particularly if that animal is exhibiting prey-like behaviour such as running away. Greyhounds, like all sighthounds, can be exceptionally reactive to rapid movement even at a significant distance.

Greyhounds that have spent considerable time in the racing industry have in addition been specifically encouraged to chase, albeit the “prey” is an elevated electronic lure moving predictably, which has more in common with a frisbee, ball or vehicle than it does with live animals. It should be noted that a greyhound’s prey drive is unlikely to be triggered by large animals such as horses or even other dogs of comparable size to the greyhound.

There are many examples of greyhounds coexisting happily and peacefully with other dogs, cats, rabbits, ferrets, chickens and other small animals in the same home.

Other breeds of dogs known for their prey drive, including other sighthound breeds, terriers, huskies, beagles, Rhodesian ridgebacks or even spaniels and retrievers, are just as likely as pet greyhounds to chase small animals. The problem is that greyhounds, being so much faster than other animals, are more likely to catch their quarry, especially over a longer distance, and being large dogs, more likely to cause injury if they do so.

Off-leash dog exercise areas pose a particular challenge for managing dogs with a high prey drive. This is the case for all dog breeds, but the greyhound’s speed and size may be aggravating factors. However, it is an over-reaction to ban all pet greyhounds from ever being allowed to run off-leash. This is a particularly cruel restriction for greyhounds that are bred and built to run, and which enjoy physical exercise (in small doses) as much as they do.

Recommended Mitigation

Injuries at home

Pet owners are responsible for ensuring that their pets and visiting animals are safe at home. GAWA provides advice to all prospective pet greyhound owners about the need to supervise all interactions between new pet greyhounds and other pets (or established greyhounds and new pets), and to use physical separation when direct supervision is not practical. Greyhounds, like other dogs, should always be kept confined behind sturdy walls or fences when at home (they are rarely jumpers or climbers). Uncontrolled cats and other small animals generally make their own risk assessment when they detect that a fenced property is occupied by a dog. Again, this is not a greyhound-specific issue, but applies to all dog breeds.

Injuries in public places

As previously noted, the Dog Act already provides for all dogs to be under effective control when in any public place and also that all dogs are to be leashed in public places other than official dog exercise areas.

All dog owners need to comply with the legal requirement that their dogs (regardless of breed) be leashed in public places, no matter how well the owner thinks they “walk off-lead”. This reduces the probability that a greyhound will be ambushed by an uncontrolled dog or that a small uncontrolled dog, moving fast across the greyhound’s field of vision, triggers an automatic prey-drive response that may cause a lunging injury to the greyhound and possibly the person holding the leash.

The requirement to be leashed and under effective control is an appropriate measure to prevent a greyhound acting when its prey drive is unexpectedly triggered on streets and in parks, and the additional restriction of a compulsory muzzle in these locations is unnecessary.



Like its counterparts elsewhere, GAWA would support the voluntary use of muzzles on recently retired greyhounds in the transitional period, until the owner learns to read their dog's signals and the dog's attitude towards "small furrries" can be determined. However, regulating to this effect would continue to stereotype the breed and fail to recognise the differences between individual dogs.

Injuries specifically to small dogs in off-leash exercise areas

Many local governments now have separate leash-free enclosures for small dogs, and this should be a requirement of all new dog exercise areas. For existing dog exercise areas where a separate enclosure for small dogs does not exist and cannot easily be provided, local governments need to consider setting aside specific days and times when the area is restricted to dogs with a body weight of more than 15kg. This is not a breed-specific measure but addresses the general problem of small dogs interacting with larger dogs that are not physically restrained.

As an interim measure, to enable greyhounds to enjoy off-leash exercise without undue anxiety to other dog owners, it is proposed that WA adopts the NSW model, under which greyhounds must remain muzzled when off-leash in a dog exercise area, and for further protection may specify that they may only be off-leash in "large-dog" exercise areas. While the disadvantages of having a muzzled dog in the company of unmuzzled dogs remain, the greyhound can make use of its speed in a large space to escape an aggressive unleashed dog long enough for that dog's owner to regain control. The situation should be monitored, and if after 12 months, no serious incidents have been reported involving greyhounds as aggressors, the muzzle restriction should be lifted for dog exercise areas dedicated to "large dogs", although owners may choose to muzzle their dogs if they wish.

Actively supporting accredited training programs and qualified temperament and behavioural assessors, as outlined in subsection 6.4 above, would support this approach.

8.3 Risk of attacks in jurisdictions where compulsory muzzling does not exist

It should be noted that compulsory muzzling of pet greyhounds has not been required in the Northern Territory, ACT or Queensland (most councils) for at least two years, nor in Victoria since January 2019. None of these jurisdictions have indicated any increase in attacks by pet greyhounds, nor have attacks by pet greyhounds been reported as a problem in any of the countries that have never had compulsory muzzling for pet greyhounds³¹.

³¹ Northern Ireland is the only non-Australian jurisdiction known to have similar restrictions to WA. Other countries that may have breed-specific muzzling laws do not apply them to greyhounds.



9. PROPOSED REFORMS TO THE DOG ACT 1976

GAWA and FTH strongly urge the WA Parliament to amend the Dog Act 1976 and the relevant Dog Regulations 2013 as follows.

9.1 Greyhound-specific restrictions

Dog Act 1976

- Section 32 – Control of dogs in exercise areas and rural areas
 - Subsection 32(1)(e) – delete the words “*is not a greyhound and*”.
- Section 33 – Special provision for greyhounds
 - Subsection 33(1) – delete.
 - Subsection 33(2)(a) – delete.
 - Subsection 33(2)(c) – delete this subsection and replace with a new subsection in section 31 that for the purposes of subsection 31(1)(a), deems a person incapable of controlling *any dog* if it is one of more than two (or a higher number if expert advice supports this – the NSW *Companion Animals Act 1998* and the Victorian *Domestic Animals Act 1994* both specify four) dogs held by that person at one time.
 - Subsection 33(3) – delete.
 - Subsection 33(4) – delete.
- Section 33B – - Defences applicable to offences under this Division
 - delete the reference to subsection 33(3).

Dog Regulations 2013

- Regulation 28 – delete. This becomes redundant if section 33(1) is repealed.
- Regulation 33 – delete item 17.

9.2 Other reforms to support successful re-homing

Dog Act 1976

- Section 7 – Dogs to be registered
 - Subsection 7(3) – insert new subsection (e) to read “greyhound that is not currently registered under the Racing and Wagering Western Australia Act 2003 section 41 and is under the care and protection of an authorised greyhound re-homing organisation while awaiting adoption, including while being fostered in a private home, provided that the greyhound being fostered is sterilised and microchipped.”

Regulatory prescription is unwieldy and inefficient when the objective is to ensure that appropriate standards are met. It is recommended that re-homing organisations be authorised by application to the CEO of the relevant department rather than prescribed by regulation, and that the department publish clear and transparent criteria for authorisation, along with a process for transparent and non-discriminatory assessment by unconflicted persons with relevant qualifications.

Dog Regulations 2013

- Regulation 11 – delete - this will be redundant if the recommendation to amend section 7(3) of the Act is adopted.



10. CONCLUSION

In summary:

- There is no evidence to suggest that the compulsory muzzling of leashed greyhounds provides any benefit to the community nor makes the community safer.
- Only Western Australia, South Australia, Tasmania and Northern Ireland now have this archaic and unjustified requirement for pet greyhounds.
- There is no evidence to suggest that changing this law would result in any increase in incidents involving greyhounds.
- There is no evidence that pet greyhounds would pose a danger to people or other comparably sized dogs in leash-free dog exercise areas, although short term interim arrangements would be supported while the change is monitored (as NSW is doing).
- Greater support in the legislation is needed for the activities of community-based greyhound rehoming organisations, including recognition of the value of foster-care arrangements.
- GAWA and FTH urge the WA Government to reform the Dog Act 1976 to remove the current unnecessary restrictions and barriers to rehoming greyhounds when the racing industry no longer wants them.

There are estimated to be up to 1,000 greyhounds annually that become surplus to the requirements of the greyhound racing industry in Western Australia. Almost all of these are five years old or younger. These beautiful, gentle and sociable dogs should be able to spend the rest of their lives as a family's loved and loving pet.

GAWA and FTH are aware that removal of the compulsory muzzling requirement is supported by the RSPCA, the Australian Veterinary Association, Racing and Wagering WA, all other community-based greyhound rehoming organisations and by the owners and foster carers of pet greyhounds in WA. Already over 4000 WA residents have signed petitions to support the reform of this law.