

Investigation Report

Inquiry under Greyhounds Australasia Rules into
greyhound trainer Anthony Bullock



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Executive summary

The welfare of racing animals is a matter that is regularly reflected in public discourse. It is widely acknowledged that the 'social licence' for the continuation of racing, in particular greyhound racing, is linked to continuous, but fast-moving improvements in respect of welfare.

As has been noted in previous reports, allegations of deficient welfare outcomes involving racing participants are a critical risk to the industry and therefore must be investigated and dealt with appropriately and with transparency.

It is incumbent upon the regulators to ensure that, whilst matters are fully investigated, the respondent in respect of allegations receives procedural fairness and that outcomes and findings are accurately reported.

On 3 August 2023, video footage taken by an Unmanned Aerial Vehicle (UAV) was posted on social media by Animal Liberation Tasmania. The video provided a depiction of conditions at the Bullock kennel complex at Exeter. The footage was allegedly taken in July 2023 and included underpinning subtitles related to the images shown.

The video focussed on:

- An aerial shot of the property with frost on the ground, likely in the early morning.
- Greyhounds in exercise yards without thermal coats in cold conditions.
- Footage of greyhounds in kennels apparently with no bedding or other insulation from the ground.
- Footage of an assembled cage on top of a kennel and a number of stored cages.

These matters are the subject of this report and will be addressed in terms of an extensive inspection conducted of the Bullock property by stipendiary stewards and the Office of Racing Integrity (ORI) Regulatory Veterinary Surgeon.

Based on the information gathered through the investigation, it was determined by RSPCA Tasmania and the Office of Racing Integrity that the conditions at the property were compliant with the provisions of the Rules of Racing, the *Animal Welfare Act 1993* and the *Animal Welfare (Dogs) Regulations 2016*.

However, upon the recommendation of the ORI Regulatory Veterinarian, Mr Bullock has been directed to undertake action in relation to the presence of internal parasites in several animals.

In addition, the Director of Racing has utilised powers articulated in the *Racing Regulation Act 2004* section 6(2)(c) in making a series of recommendations to Tasracing in respect of the Rules of Racing. Those recommendations are included within this report in more detail, but broadly identify the need for additional prescriptions in respect of greyhound welfare.

It was noted that there are guidelines published by Tasracing, but without linkage to the Rules of Racing, the provisions are not mandatory. The recommendation is made on the same basis as the one made to Tasracing in March 2023 to put into effect an Equine Code of Practice.

Incidents such as this cause damage to the reputation of and risk a decreased acceptance of greyhound racing within the community. It has therefore been important to fully understand

the actual circumstances and conditions in place, rather than relying on the edited version placed into distribution.

Other matters

The footage also showed:

- animal carcasses, including bones, a horse's head and a wallaby on the tray of a utility vehicle
- animal carcasses on the ground at the rear of the property.

These matters will be addressed in a separate report by stipendiary stewards. This will be made publicly available.

An assessment of the facts relating to these matters will be considered by the Stewards to determine if any of the circumstances warrant the issue of a charge under the Rules of Racing.

Background

The Office of Racing Integrity

ORI provides regulatory oversight and high-level direction to the racing industry through its delivery of integrity services. A significant part of ORI's focus is the delivery of contemporary animal welfare outcomes, consistent with community expectations, for each racing code.

The *Racing Regulation Act 2004* (s6) defines the functions of the Director of Racing (the Director) and provides the Director with overall responsibility for regulating and controlling racing to ensure it is conducted with integrity. The Director is also empowered to provide advice to the Minister for Racing on relevant policy matters.

Report Rationale

There is significant amount of community interest in this matter and it is appropriate that the inspection and investigation response to the matter is publicly reported. The functions and powers of the Director are defined within the *Racing Regulation Act 2004*. The Director has determined that it is in the public interest to report on the outcome of this matter.

Release of Footage by Animal Liberation Tasmania

Unmanned Aerial Vehicle (UAV) footage related to the Bullock property (dated 2 August 2023 – 6.25pm) was placed on social media by Animal Liberation Tasmania early on 3 August 2023.

The video was two minutes and 16 seconds long. There was text overlaid on some of the footage, offering the author's written description of the visuals.

ORI became aware of the video shortly after it was posted.

Initial Action

Upon becoming aware of the video, ORI mobilised a team of stewards to attend the premises to gain a contemporaneous understanding of the conditions at the premises.

The Director also initiated a conversation with the CEO of the RSPCA. It was agreed that ORI should lead this investigation, and that the RSPCA would provide support as needed.

Stewards undertook an extensive inspection and photographed the conditions at the premises. This inspection occurred at 1pm on 3 August 2023.

Stewards again attended on 4 August 2023 and took possession of one item as an exhibit.

On 8 August 2023, a team of three stewards, plus the ORI Regulatory Veterinarian attended the premises and undertook a further inspection.

Investigation and inspection

Relevant Regulatory Frameworks

There are two key elements to the regulatory framework relating to this matter: legislation, and the Rules of Racing. They apply slightly differently and are enforced by different regulators.

Specifically applying to racing, and importantly to 'licensed persons', are the Rules of Racing. The relevant Rules in Tasmania are the Tasmanian Greyhound Rules of Racing (the Rules). Those Rules are supported by policies, in this context the Greyhound Animal Welfare Manual.

The primary legislation of interest is enforced in Tasmania by RSPCA Tasmania. That is the:

- *Animal Welfare Act 1993 (Part 2)*
- *Animal Welfare (Dogs) Regulations 2016 (Part 2)*

In respect of this investigation, there are several provisions of the Rules which require referencing and interpretation.

Division 1, Rule 21 states:

- (1) A person must ensure that any greyhound in the person's care or custody, is at all times provided with:*
- a. Proper and sufficient food, drink and protective apparel; and ...*
 - c. Kennels constructed and of a standard approved by a Controlling Body which are adequate in size and which are kept in a clean and sanitary condition.*

LR21.2 states:

A person responsible for the keeping of greyhounds shall comply with the requirements detailed in the Tasracing Greyhound Animal Welfare Manual.

It should be noted that the Tasracing Greyhound Animal Welfare Manual contains a series of policy documents that prescribe both *required* standards and *recommended* standards. These prescriptions exist within the same documents and are generally defined with the use of

differing modal verbs – with ‘must’ or ‘shall’ used in required standards and ‘may’ or ‘should’ being used in recommended standards.

There are several requirements relevant for stewards to consider in the Tasmanian Greyhound Animal Welfare Manual.

Kennels **must**:

- Be designed and maintained to minimise the risk of injury, disease, theft or escape
- Be designed for ease of cleaning, feeding, watering and the regular inspection of animals
- Have all solid surfaces impervious or painted
- Have sufficient lighting to enable thorough inspection of greyhounds
- Be ventilated to avoid excessive heat or cold, dampness and draughts and minimise noxious odours
- Be secure
- Have fire-fighting equipment readily available
- Be kept clean to assist with disease prevention.

All other provisions within the Manual in respect to kennels are recommendations only.

Stewards’ Inspection and Veterinary Examination

An inspection was conducted of the Bullock premises by stipendiary stewards from the ORI on 3 August 2023.

There were three matters were flagged in the report as requiring more consideration. They were:

- 1) All animals were not positively identified at inspection.

Resourcing did not allow stewards to positively identify each animal at this visit. This was identified as a matter that required additional attention, and this was tasked to stewards as a required activity in the subsequent inspection (8 August 2023).

- 2) Not all buildings inspected were insulated.

There is no requirement within the rules of racing for buildings to be insulated, however this inspection notation is included within the kennel inspection template to develop an intelligence picture.

- 3) Dry bedding was not present.

A notation was placed under this entry, noting that dry bedding was not present in all kennels. This was assessed by the stewards, who considered that the absence of dry bedding was less likely to be as a result of negligence by the trainer, rather the removal of material by the occupying animals.

This was referred to the ORI Regulatory Veterinarian to further consider in a thorough examination of the animals.

On 8 August 2023, the ORI Regulatory Veterinarian, in company with stipendiary stewards, attended the Bullock greyhound training premises to conduct an inspection.

The inspection was comprehensive, with all greyhounds undergoing a full veterinary inspection.

The inspection of greyhounds revealed:

- All greyhounds were in acceptable body condition;
- There was no evidence of pressure sores due to sleeping or lying on hard unprotected surfaces such as bare concrete;
- All racing dogs were kept indoors and were wearing rugs, but some dogs housed in outdoor runs were not rugged when inspected;
- Water bowls all contained fresh clean water and food was being prepared and delivered to pens while ORI staff were on site;
- Indoor pens were clean and dry and bedding was provided in all pens. However, the shredded paper bedding in some hutches in the outdoor pens had become somewhat damp and consolidated near the doorway, and some pens contained less than an ideal quantity of bedding material;
- Two outdoor pens were of sub-standard condition because they contained hazards such as sharp tin edges that could cause injuries. A **direction** was issued for the dogs to be removed from those pens;
- There was some mud and pooling of water in some outdoor pens;
- Light flea infestations were detected in five dogs. Only a single flea was observed in each case; although 'flea dirt' but no fleas were observed on other dogs;
- Five dogs appeared to be slightly dehydrated. Blood samples were collected from four affected dogs and varying levels of dehydration was identified in these dogs;
- Blood samples also demonstrated that two of the above dogs were anaemic. Both fleas and hookworms suck blood, so it is likely that the anaemia was caused by these parasites;
- Two faecal samples were collected which confirmed the presence of both hookworms and whipworm at the premises;
- One dog had a recent skin injury under her left eye consistent with a muzzle injury. One dog had a raw area on one leg but the lesion appeared clean and healthy. One dog had a raw and bleeding tail tip lesion;
- Thirteen dogs had gingivitis and several had some build-up of dental calculus.

An inspection was also conducted on another property located on Valley Road, Sidmouth, also owned by Mr Bullock.

At that location, fourteen horses were inspected. The horses were being fed bread and there was sufficient pasture available. Fresh water was provided by reticulation to several bathtub troughs and the horses also had access to a dam. All horses were in acceptable body condition.

It is the opinion of the ORI Regulatory Veterinarian that the standard of animal welfare of the dogs and horses were generally acceptable. However, it was noted that improvements could be made to improve internal parasite control and to remove dental calculus from the teeth of one dog.

A **direction** was provided to Mr Bullock on 16 August 2023 to undertake several actions to address the issues raised by the Regulatory Veterinarian. Compliance with these actions will be monitored by the stewards.

Suspension of Licence – Mr Anthony Bullock

Following the inspection by stewards on 3 and 4 August 2023, the Director of Racing was briefed in relation to matters of concern noted during the inspection.

Accordingly, the Director determined, as the Controlling Body, that it was appropriate to commence an inquiry into those matters in accordance with Rule 13(2) of the Greyhounds Australasia Rules (GAR).

One matter of concern related to a potential breach of Greyhounds Australasia Rule 159(3), related to the alleged possession of an animal part reasonably likely to be capable of being used as a lure.

This rule includes a reverse burden of proof upon the participant in evidencing possession. Additionally, this rule is linked to Greyhound Local Rule 159(1) which requires a lifetime ban be imposed on any participant determined to be in breach of the rule.

The Director, as the Controlling Body, considered the circumstances and formed the opinion that it would be inappropriate to allow Mr Bullock to continue to participate and nominate into races whilst such a matter was reviewed.

Utilising powers vested under GAR 169(5), the Director acting as the Controlling Body, therefore determined it was appropriate to suspend Mr Bullock's licence with immediate effect until the conclusion of the inquiry, or until otherwise advised.

The suspension affected both Mr Bullock's Public Trainer and Breeder licences.

Mr Bullock was formally advised that he was required to continue to manage his animals in accordance with the *Animal Welfare Act 1993*, the Greyhounds Australasia Rules, local rules and all relevant policies whilst the suspension was active.

Greyhound Welfare During Trainer Suspension

Stewards from the Office of Racing Integrity continue to visit Mr Bullock's property through the progress of the investigation. The kennels and the animals are assessed with consideration of the Rules of Racing.

Investigation under Animal Welfare Legislation

During the investigation, the RSPCA Tasmania (as the relevant regulator) considered whether there were any potential breaches of legislation identified in the footage and the conditions subsequently encountered during inspection.

It was determined that the conditions encountered and shown within the footage did not constitute any actionable breach of relevant legislation.

Regarding the dogs and their housing, there was not sufficient evidence to warrant any exercise of powers or issuing of charges under either the *Animal Welfare Act 1993* or the *Animal Welfare (Dogs) Regulations 2016*.

The single horse shown in the footage that appeared to be in poor condition was not present on the property during inspection. Inspectors learned that the horse had been euthanased. Inspectors also received a version of events from Mr Bullock that plausibly

explained the condition of the horse. Given that there was no physical evidence of the horse at the time of inspection, there was no recourse to provisions of the *Animal Welfare Act 1993*.

Following inspection by authorised officers, RSPCA Tasmania has determined that there appears to be no breach of relevant legislation on this occasion.

However, RSPCA Tasmania considers this to be as a result of deficiencies in the legislation rather than a reflection of appropriate and adequate care and conditions provided by Mr Bullock for his dogs.

Furthermore, the public reaction to the footage taken by the UAV makes it clear that the conditions on the property do not meet community expectations.

RSPCA Tasmania has therefore made several recommendations for steps to be undertaken to address this gap. These recommendations are detailed later in this report.

Charges under the Rules of Racing

Several aspects of the information gathered during the investigation were referred to a panel of Stipendiary Stewards to consider if there was a breach of the Rules of Racing.

The Stewards' Panel will consist of:

- Chief Steward – Harness Racing, Mr Neil Finnigan
- Acting Chairman of Stewards - Greyhounds, Mr Dominic Tyson.
- Stipendiary Steward – Roger Brown

At the time of publishing this report, the Stewards' inquiry was ongoing. In accordance with common practice and in the interests of procedural fairness, it was adjourned so that the subject of the inquiry could review relevant material.

This inquiry will be finalised by the Panel and a determination published separately. This is the case for all stewards' inquiries, which are publicly released on the Office of Racing Integrity website upon completion.

Recommendations

The Director of Racing

The Director of Racing has a function articulated in the *Racing Regulation Act 2004* (section 6(2)(c)) to make recommendations to Tasracing in respect of the Rules of Racing.

Resulting from this investigation, the Director has made the following recommendation in line with that function:

Develop a Greyhound Welfare – Code of Practice

It is the recommendation of the Director of Racing that Tasracing develop an enforceable Canine Welfare Code of Practice for the greyhound code that is linked to the Rules of Racing as offence provisions for non-compliance. The recommendation is made on the same basis as one made by the Director to Tasracing in March 2023 to put into effect an Equine Code of Practice.

This document would replace current Tasracing guidance documents titled ‘Greyhound Animal Welfare Manual’ and ‘Recommended Standards for the Care of Greyhounds’.

The Code of Practice should be drafted with definitive enforcement terminology (must, required etc) to allow for non-compliance to be dealt with by stewards under the rules.

There should be a specific offence provision within the Local Rules referring to non-compliance with the new Code of Practice.

RSPCA Tasmania

In conjunction with the Department of Natural Resources and Environment, RSPCA Tasmania has responsibility for enforcement of the *Animal Welfare Act 1993* and its subordinate legislation, in respect of canines, in Tasmania.

Simultaneously, RSPCA Tasmania has a role in advocating for policy and legislative change that aligns with RSPCA Tasmania’s objectives.

RSPCA Tasmania **supports** the Director of Racing’s recommendation with respect to development of an enforceable Code of Practice for Greyhound Welfare.

In addition, the RSPCA believes the following recommendations are essential if the greyhound racing industry is to remain sustainable into the future:

1. Review the Animal Welfare (Dogs) Regulations 2016

As a matter of priority, undertake a thorough review of the Animal Welfare (Dogs) Regulations 2016 with reference to greyhound racing, to clarify areas of ambiguity, to remove as far as possible discrepancies between the Rules of Racing and the Regulations, and to ensure that the Regulations are reflective of current community expectations relating to greyhound racing.

2. Consider options to align regulators to ensure a consistent and seamless regulatory environment as it applies to greyhound racing

A number of regulatory functions relating to dogs generally fall within the purview of local government. This includes kennel licencing, dog registration, and construction of kennel facilities. A whole-of-government approach is necessary to ensure that there is no discrepancy between approaches of regulators and other consent authorities.

3. Ensure clarity of roles for regulators

Clear lines of responsibility need to be identified and documented for all regulators and authorities involved in greyhound racing.

4. Implement a life-cycle traceability program for the greyhound industry

Follow other jurisdictions in the identification of a robust model for a life-cycle traceability program for the Tasmanian greyhound industry and incorporate this into enforceable Rules.



Tasmanian
Government

**Department of Natural Resources and
Environment Tasmania**
Office of Racing Integrity