



REMOVAL OF THE COMPULSORY MUZZLE REQUIREMENT

FOR COMPANION GREYHOUNDS IN WA

CURRENT LAW

Dog Act 1976

33. Special provision for greyhounds

(1) A greyhound must be muzzled in such a manner as will prevent it from biting a person or animal unless — (a) it is in or at premises occupied by its owner; or (b) it has successfully completed a prescribed training programme.

(2) Section 31 applies to a greyhound subject to the following modifications — (a) the exemptions in subsection (2)(a) and (b) of that section shall not apply; and (b) a greyhound is exempt from section 31(1) while it is participating in a greyhound race or trial held under a licence issued under the Racing and Wagering Western Australia Act 2003; and (c) for the purposes of subsection (1)(a) of that section, a person shall be conclusively deemed to be incapable of controlling a greyhound if it is one of more than 2 greyhounds held by him at one time.

(3) If a greyhound is at any time not muzzled as required by subsection (1) every person liable for the control of the dog at that time commits an offence unless the person establishes a defence under section 33B. Penalty: a fine of \$5 000.

(4) This section does not apply to a dangerous dog. [Section 33 inserted by No. 23 of 1987 s. 27; amended by No. 24 of 1996 s. 16; No. 23 of 1998 s. 20; No. 35 of 2003 s. 220(3); No. 18 of 2013 s. 30.]

WA Dog Act 1976 – Regulations 2013

28. Training programme for greyhounds

The training programme for section 33(1)(b) is that known as the “Greyhounds as Pets Program” conducted by RWWA.

[Regulation 28 amended in Gazette 23 Mar 2018 p. 1028.]



CHANGES PROPOSED

That the Dog Act 1976 be amended to remove the requirement for all greyhounds to be muzzled in public without the requirement to complete a training programme.

BACKGROUND

- In Western Australia, the Dog Act 1976 requires all greyhounds to wear a muzzle in public.
- This breed specific legislation does not apply to any other breed of dog (individual dogs of any breed can be declared a dangerous dog and be required to wear a muzzle in public).
- Greyhounds can become exempt from wearing a muzzle if they undergo a 'prescribed training programme'.
- The only approved training program is one that is run and has been developed by the racing industry. The cost to undergo the assessment is payable to the industry. The assessment requires the dog to attend the assessment body's kennels for a period of four days and provides a snapshot of the animal's behaviour at that period in time.
- Since the writing of the Dog Act over 40 years ago, when greyhounds were in the vast majority only known as racing animals, greyhounds have become well known as a household pet.
- The Dog Act also requires greyhounds to always be on a lead when in public which is not proposed to be amended.
- The RSPCA, the Australian Veterinary Association, and Racing and Wagering WA support the removal of the muzzle law.
- There is strong community support to remove the muzzle law in WA. Over 4000 WA residents signed petitions to change the law and hundreds more sent in submissions to the Dog Act review requesting the law be changed.



ISSUES

- 1) Greyhounds are kept as pets in countries where the muzzle requirement has never existed and there is not a higher incidence of greyhound attacks to people, dogs or other animals.
- 2) Western Australia, South Australia and Tasmania are the only Australian states still with this law. All other states and territories (VIC, NSW, ACT, NT, and parts of QLD) have successfully removed this law, with no evidence of a greater incidence of greyhound attacks.
- 3) The RSPCA has found no evidence to suggest that greyhounds as a breed pose any greater risk than other dog breeds.
- 4) The position supported by veterinary behaviourists is that the behaviour of a dog should be based on that dog's individual attributes not its breed.
- 5) As a breed, greyhounds are known for their friendly and gentle disposition, despite their upbringing in the racing industry.
- 6) Muzzling contributes to unwarranted negative public perceptions about greyhounds and their suitability as pets, impacting adoption opportunities.
- 7) There is no evidence to suggest that breed specific legislation such as compulsory muzzling is effective in preventing or reducing dog attacks.
- 8) The current 'prescribed assessment program' is not suitable for many greyhounds and can give flawed results. As with any behavioural assessment, it only can provide a snapshot of an animal's behaviour at a certain point in time. It doesn't recognise changes that may occur in a dog's behaviour over time, which could be influenced by many factors including environment, relationships and overall health. Its implied assurance may also discourage dog owners from taking ongoing responsibility for their pet's behavioural developments.
- 9) Evidence suggests legislation that increases the responsibility of all dog owners for their dog's actions, regardless of breed, for example through harsher penalties, leads to a reduction in dog attacks and increased community safety.
- 10) Wearing a muzzle may be detrimental to a greyhound's welfare. There have been several greyhounds recently attacked in WA by other dogs that have subsequently died from being unable to defend themselves due to wearing a muzzle.

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SUMMARY

- There is no evidence to suggest that the compulsory muzzling of greyhounds provides any benefit to the community nor makes the community safer.
- Compulsory muzzling can be detrimental to a greyhound's welfare and even life threatening.
- Western Australia's Dog Act is outdated and lagging behind other countries and Australian states and territories that have already removed this requirement.
- There is strong community support for the removal of the muzzle requirement as well as support from leading welfare and veterinary organisations.