

<b>Title:</b> The Welfare of Racing Greyhounds Regulations 2010 <b>IA/PIR No:</b> DEFRA 2010/543 <b>Lead department or agency:</b> Department for Environment, Food and Rural Affairs <b>Other departments or agencies:</b> <b>Contact for enquiries:</b> AnimalWelfare.Consultations@defra.gsi.gov.uk	<b>Post Implementation Review</b>
	<b>Source of intervention:</b> Domestic
	<b>Type of regulation:</b> Secondary legislation
	<b>Type of review:</b> Non-statutory
	<b>Date of implementation:</b> 06/04/2010
	<b>Date review due (if applicable):</b> NA

## Summary

### **1a. What were the policy objectives and the intended effects? (If policy objectives have changed, please explain how).**

The objectives of the Welfare of Racing Greyhounds Regulations 2010 (the Regulations) were to improve the welfare of racing greyhounds by establishing a set of minimum welfare standards for all greyhound racing tracks in England and to improve the traceability of greyhounds during and after their racing life. The effect was to introduce arrangements that applied to all greyhound tracks but took full account of the Greyhound Board of Great Britain's (GBGB) measures to establish a self-regulatory track system within the greyhound industry that has been accredited by the United Kingdom Accreditation Service (UKAS).

### **1b. How far were these objectives and intended effects expected to have been delivered by the review date? If not fully, please explain expected timescales.**

The Regulations were introduced before the requirement that all new regulations must contain a statutory review provision. However, Defra Ministers have stated that they still wished to review the Regulations after they had been in force for five years. The introduction of a set of minimum standards was anticipated to take effect by the introduction of the Regulations themselves. An improvement in the traceability of greyhounds was anticipated by the time the Regulations were reviewed.

### **2. Describe the rationale for the evidence sought and the level of resources used to collect it, i.e. the assessment of proportionality.**

Given the small scale of the industry covered by the Regulations, and the smaller number of 'independent' tracks that were anticipated to be directly impacted by the Regulations; Defra did not consider that the review justified substantial resources. However, given the high profile of the Regulations, and the self-regulatory model contained within them, Defra considered that additional resources and analysis were merited to underpin the review. This included the commissioning of new data, in an attempt to gain input from the traditionally harder to reach 'independent' tracks, combined with a targeted 'call for evidence' of the more established relevant stakeholder groups.

The research sought qualitative evidence from organisations with experience of the operation of the Regulations, as well some quantitative data from the tracks themselves. This research was then opened to public consultation; to allow all interested parties to submit any other evidence either in support of the findings or by way of challenge to them.

### **3. Describe the principal data collection approaches that have been used to gathering evidence for this PIR.**

There was limited existing monitoring data sources available pre 2010 that would allow for a post implementation comparison. However, injury and euthanasia statistics (which are required to be collected by the Regulations) were sought from GBGB and independent tracks for the 5 years the Regulations have been in force.

The review sought to evaluate the impact and the implementation of the Regulations.

Defra undertook and commissioned research to gather evidence on the effectiveness of the Regulations and their impact on greyhound welfare. Evidence was collected, in the form of the experiences of relevant stakeholders from across the industry, from track operators and track vets, to re-homing organisations and welfare groups. Evidence was collected via two strands of research. The first strand involved commissioning a social research company, GfK, to undertake independent qualitative and quantitative research. As part of this research, GfK interviewed, by telephone, 44 people from a sample designed to capture a good spread of views from across the sector. This research explored participants' views and opinions on how effectively they felt the Regulations are currently working, particularly in relation to the required conditions, to gain a qualitative assessment of their impact. The research also explored wider greyhound welfare issues. This research was, by design, investigatory in its approach to provide detailed qualitative research regarding the Regulations.

The second strand of the research entailed Defra sending a targeted on-line survey to other relevant organisations (likely to have experience of the Regulations) with wide memberships for dissemination to their members. Some 103 responses were received to this exercise. Results of both strands of research were collated into one report – 'Exploring Effectiveness of Racing Greyhounds Legislation (2010)'. The Report represents the initial findings of the review of the Regulations. This report formed the main reference document for a subsequent public consultation exercise, which provided an opportunity for all interested parties to scrutinise and comment on the initial findings of the Review, offering any other evidence either in support of the findings or by way of challenge to them. The consultation was also an opportunity for all interested parties to comment and, if needed, supply evidence on some of the possible options for further action.

During the course of the review, the Environment, Food and Rural Affairs Committee also undertook an inquiry into 'Greyhound welfare'. One of the objectives of the Committee's inquiry was to contribute to the Defra Review and their report was also used as evidence for this review process.

### **4. To what extent has the regulation achieved its policy objectives? Have there been any unintended effects?**

In summary, this PIR found:

- The Regulations appear to have been successful in establishing a set of minimum welfare standards at all greyhound racetracks in England, which has promoted the welfare of racing greyhounds. As anticipated when the Regulations were drawn up, this was largely by ensuring standards at independent tracks were improved to bring them closer into line with standards at GBGB tracks.
- The requirement for all racing greyhounds to be microchipped appears to have improved the traceability of racing greyhounds during their racing careers, but the impact is less evident after a greyhound has left the sport. However, the PIR found that the introduction of the Microchipping of Dogs (England) Regulations 2015 may go some way to address this problem.
- The main impacts of the Regulations were broadly as anticipated.
- However, there were concerns the original scope of the Regulations was too narrow, focusing only on conditions at tracks. The PIR found action was needed to tackle standards at trainers' kennels, as well as to address issues of transparency surrounding injury and retirement rates.

**5a. Please provide a brief recap of the original assumptions about the costs and benefits of the regulation and its effects on business (e.g. as set out in the IA).**

The Impact Assessment which accompanied the Regulations when they were first introduced assumed that the largest costs of the Regulations would be:

- A one-off cost on independent tracks of meeting new kennelling requirements (£55k);
- A one-off cost on owners to get their greyhounds microchipped (£167k)
- An annual cost on independent tracks of providing a vet (£96k)
- An annual cost on owners to get their greyhounds microchipped (£67k)

A summary of all the assumed costs of the Regulations are included in the supporting pages of this PIR. The original Impact Assessment did not attempt to monetise the benefits of the Regulations.

**5b. What have been the actual costs and benefits of the regulation and its effects on business?**

Given the qualitative focus of this PIR, the evidence sought was not aimed at quantifying and monetising the actual costs and benefits of the Regulations. However, where some evidence has produced indications of the likely impact of some of the requirements this is discussed in this PIR. For example, the evidence gathered for this PIR supports the original assumption that costs on independent tracks for veterinary fees and track kennels would be the largest costs on the industry as a result of these Regulations. No evidence was found, however, on the actual costs of microchipping on dog owners.

**6. Assessment of risks or uncertainties in evidence base / Other issues to note**

While both independent tracks and local authorities licensing those tracks took part in the PIR's initial findings research, and contributed evidence to that exercise, given the small numbers of tracks involved, that part of the PIR was necessarily done on a confidential basis, with no respondent being able to be identified from their responses. Only 5 such tracks, covered by 4 local authorities, were in operation when the initial evidence gathering stage of the PIR was undertaken. During the subsequent consultation stage of the PIR, no independent track or local authority licensing an independent track provided a response. This means there was limited specific information or support (or challenge) to the evidence gathered from the initial research from independent tracks.

The information collected was done from a limited sample: as not every stakeholder was interviewed, there could be others with different views (although the sample was designed to provide a good cross section of views, and the sample size was a relatively large qualitative sample for what is a small industry). Inevitably, those taking part in either the evidence gathering or consultation stages of the PIR were those who were willing to take part, so again the PIR might have missed some of those with different experiences. However, from the 140 stakeholders who participated in the initial evidence gathering stage, and the 1200 respondents who undertook the Consultation stage of the PIR, the evidence base is as robust as it can be for a qualitative PIR of this size. There is also a lack of quantitative data, especially from independent tracks. However, given there was also limited quantitative data available from before the introduction of the Regulations, such data would have been limited in value.

**7. Lessons for future Impact Assessments**

Given the qualitative focus of this PIR, the evidence sought was not aimed at quantifying and monetising the actual costs and benefits of the Regulations. However, from the limited evidence obtained it appears the impacts of the original cost estimate were broadly accurate. The original Impact Assessment did not attempt to monetise the benefits of the Regulations. Given the Regulations have been in force for over 5 years, and with non-regulatory agreements obtained from the GBGB, there should be more statistical evidence from GBGB tracks available for any future Impact Assessment to help assess welfare benefits. Further considerations will be given as to how similar, comparable figures can be obtained from independent tracks for future comparisons.

## **8. What next steps are proposed for the regulation (e.g. remain/renewal, amendment, removal or replacement)?**

This PIR finds that the Regulations have been successful when assessed against their original objectives. While the PIR also showed that the Regulations are still required, it did identify some possible amendments may be necessary. These amendments could achieve further welfare benefits, reduce costs on business, and simplify the implementation process. In particular, Defra will be giving further consideration to the following parts of the Regulations:

- better defining the required veterinary inspection;
- the facilities required for the attending veterinary surgeon;
- defining the responsibilities of track operators in relation to the track vet;
- the requirements for adequate track kennelling;
- ensuring there is one clear legislative standard for dog microchips and microchip databases;
- removing the requirement for racing greyhounds to be tattooed; and
- ensuring there is routine monitoring of injury statistics (with action taken where necessary).

The PIR process also identified further action is required outside the scope of the current Regulations. The GBGB have agreed to publish, from 2018, aggregate figures for dogs injured or euthanized at GBGB tracks, as well as dogs leaving the sport. The GBGB have also agreed to work through the British Standards Institute (BSI) and with other stakeholders, to develop a Publicly Available Specification (PAS) for trainers' kennels. The GBGB would then seek UKAS accreditation to monitor compliance with the standards in the PAS. Defra wants to see GBGB fulfil these non-regulatory agreements. However, Defra will also give further consideration as to whether regulations are needed to incorporate the PAS standards to ensure any professional trainers operating solely on independent tracks meet the standards. Defra will also explore whether a non-regulatory agreement could be reached with the remaining independent tracks to allow anonymised, aggregate injury and euthanasia statistics from those tracks to be published.

**Sign-off** For Post Implementation Review:

***I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the policy.***

Signed: LORD GARDINER OF KIMBLE

Date: 18 AUGUST 2016

# Post Implementation Review of the Welfare of Racing Greyhounds Regulations 2010

## 1. Introduction

This Post Implementation Review (PIR) examines the effectiveness of the Welfare of Racing Greyhounds Regulations 2010 (referred to in this document as the Regulations). Evidence gathered through a number of interviews, targeted surveys and a consultation with stakeholders, as well as a report into 'Greyhound welfare' by the House of Commons' Environment, Food and Rural Affairs Select Committee, has been used to inform recommendations on whether the Regulations should remain, be amended, or be replaced.

Section 2 of this document outlines the policy background, summarising the rationale and objectives behind the Regulations. Section 3 outlines the rationale for the level of evidence sought for this PIR. Section 4 explains how the evidence was collected and what evidence was found. Section 5 assesses whether or not the Regulations have broadly met their objectives and suggests possible amendments to the Regulations.

## 2. Policy background

The welfare of racing greyhounds at racetracks in England is protected by the Welfare of Racing Greyhounds Regulations 2010 (the 'Regulations')<sup>1</sup>. These Regulations came into force on 6 April 2010 and have been in force now for over five years. The government, in line with its commitment to review all new regulations after they have been in force for a period of time, has undertaken a review of their effectiveness.

### Need for regulation

The Welfare of Racing Greyhounds Regulations 2010 (the 'Regulations') were introduced following public and Parliamentary concern about the welfare of greyhounds at racetracks, particularly 'independent' racetracks, and the fate of greyhounds after they had finished racing. The then government committed, during debates on the Animal Welfare Bill during 2006, to bring forward regulations 'to ensure standards at greyhound racing'.<sup>2</sup> This commitment combined with aforementioned concerns led to the production of two reports: the Associate Parliamentary Group for Animal Welfare (APGAW) May 2007 'Welfare of Greyhounds' report<sup>3</sup> and the November 2007 Independent Review of the Greyhound Industry in Great Britain Report by Lord Donoughue of Ashton<sup>4</sup>. Both reports recommended that regulations should be introduced that set a minimum welfare standard at all racetracks, with any industry body undertaking inspections being accredited by the United Kingdom Accreditation Service (UKAS) to do so.

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<sup>1</sup> [http://www.legislation.gov.uk/uksi/2010/543/pdfs/ukxi\\_20100543\\_en.pdf](http://www.legislation.gov.uk/uksi/2010/543/pdfs/ukxi_20100543_en.pdf)

<sup>2</sup> House of Lords: Hansard 23 October 2006 Column 1034

<sup>3</sup> <http://www.apgaw.org/Data/Sites/1/pdfs/Report-of-APGAW-Inquiry-into-the-Welfare-of-Greyhounds.pdf>

<sup>4</sup> <http://www.greyhounds-donoughue-report.co.uk/UserFiles/File/files/greyhounds-donoughue-report.pdf>

## Objectives of the Regulations

The Explanatory Memorandum published alongside the Welfare of Racing Regulations 2010, explained that regulations were needed *“to ensure that there is one minimum welfare standard that applies to all tracks in England and that all greyhounds used by the sport are permanently identified with the details of the owner on a national database. However, the Government does not believe there is a need for further enforcement of licensing in relation to welfare standards at tracks where those standards are already being enforced by a body that has UKAS accreditation for the enforcement of the same standards. This would amount to unnecessary duplication of enforcement effort as well as an unnecessary burden on those tracks. This instrument requires that all tracks meet the same minimum welfare standards and that all racing greyhounds must be microchipped and tattooed.”*<sup>5</sup>

The Impact Assessment, also published alongside the Regulations, goes on to state that “The objective of these regulations is to improve the welfare of racing greyhounds by establishing a set of minimum welfare standards for all greyhound racing tracks in England and to improve the traceability of greyhounds after their racing life has finished. The effect is to introduce arrangements that apply to all greyhound tracks but take full account of the Greyhound Board of Great Britain’s (GBGB) measures to establish a self-regulatory system within the greyhound industry that has been accredited by the United Kingdom Accreditation Service (UKAS).”<sup>6</sup>

## Requirements of the Regulations

The Regulations require all greyhound racing tracks in England to meet certain minimum welfare standards. These standards are either enforced by a local authority, via a licence from the local authority, or alternatively by a body which has secured UKAS accreditation in respect of the enforcement of these standards. All tracks must:

- have a veterinary surgeon present at all race meetings and trials; with each greyhound examined by the vet prior to racing or trialling and no greyhound being allowed to run if the vet deems it is unfit to race for any reason;
- ensure that the veterinary surgeon has suitable facilities;
- provide suitably ventilated kennels for 20% dogs present at the track;
- only allow greyhounds which are microchipped and tattooed (with details on an appropriate national database) to race or trial at the track;
- keep records of all greyhounds who race or trial at the track; and
- keep records of any greyhounds injured at the track.

The Regulations do not cover conditions at trainers’ and breeders’ kennels or during transportation, or the retirement or euthanasia of greyhounds. It was stated in the Explanatory Memorandum to the Regulations that the government at the time was “satisfied that there is already welfare regulations in place that provide significant protection in these areas.”

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<sup>5</sup> [http://www.legislation.gov.uk/uksi/2010/543/pdfs/uksiem\\_20100543\\_en.pdf](http://www.legislation.gov.uk/uksi/2010/543/pdfs/uksiem_20100543_en.pdf)

<sup>6</sup> [http://www.legislation.gov.uk/ukia/2009/322/pdfs/ukia\\_20090322\\_en.pdf](http://www.legislation.gov.uk/ukia/2009/322/pdfs/ukia_20090322_en.pdf)

## Impact Assessment of Regulations to promote the welfare of racing greyhounds

The following summary of costs is reproduced from the Impact Assessment which was produced to accompany the introduction of the Regulations in 2010. Although the focus of this review has been the impact of the Regulations on welfare, there is some discussion in the findings of the relative impact of some of the requirements of the Regulations, assessed against the original envisaged impact. The actual envisaged costs from the Impact Assessment are included here for information.

### Summary of Costs

#### One off costs

<b>To industry</b>	Veterinary facilities	£1,800
	Kennelling	£54,700
	Scanning equipment – GBGB tracks	£3,800
	Scanning equipment – independent tracks	£900
<b>To dog owners</b>	Earmarking (independent track only dogs)	£0
	Dog microchipping – GBGB dogs	£153,000
	Dog microchipping – independent track only dogs	£13,700
	<b>Total</b>	<b>£227,900</b>

#### Maximum annual costs

<b>To industry</b>	Veterinary presence at all race meetings – independent tracks	£45,000
	Veterinary presence at all race trials – independent tracks	£50,100
	Veterinary presence at all sales trials – independent tracks	£1,200
	Record keeping	0
	Annual licensing fee – range	£750 - £930
	Admin burden – licensing	£100
	Admin burden – enforcement	£200
<b>To dog owners</b>	Earmarking (independent track only dogs)	£4,000
	Dog microchipping - GBGB dogs	£63,800
	Dog microchipping - Independent track only dogs	£3,400
	<b>Total</b>	<b>£168,600 - £168,700</b>

## Size and Structure of the Industry in England

As of June 2016, there are 28 greyhound racing tracks in England. The sport is divided into two codes – greyhound racing tracks licensed by the industry regulatory body – the Greyhound Board of Great Britain (GBGB), and those tracks which operate outside the industry regulator, commonly referred to as ‘independents’. The majority of tracks in England – 24 – are regulated by the GBGB. The GBGB is accredited by UKAS to enforce the welfare standards in the 2010 Regulations. Welfare standards at the remaining 4 independents are regulated by the local authority in which the track is situated. When the Regulations were introduced in April 2010, there were 33 active greyhound tracks in England, with 26 tracks regulated by the GBGB and 7 independent tracks. During the course of this review, one independent track closed.

Two of the main functions of the GBGB are to license greyhound tracks, trainers, owners, kennels and officials and to keep a register of owners and all greyhounds racing at tracks licensed by them. No similar body exists that fulfils a similar function for independent tracks.

## Purpose of the Review

The Regulations predate the requirement to include a statutory review provision. However, Defra still wished to review the Regulations to establish whether, and to what extent:

- the Regulations had achieved their original objectives;
- the objectives and scope of the Regulations were still valid; and
- regulation is still the best option for achieving those objectives.

## 3. Rationale for the level of evidence sought

Given the relatively small scale of the greyhound racing industry covered by the Regulations (29 tracks when the review began) and the smaller number of tracks which the Regulations were anticipated to have directly impacted (the 5 ‘independent’ tracks when the review began) Defra did not consider this review justified substantial analysis and resourcing. However, given the high profile and novel nature of the Regulations, with the use of the UKAS model of self-regulation contained within them, Defra considered that additional resources and analysis was merited to create a stronger evidence base for the review. The PIR guidance suggests that a ‘medium’ approach PIR is proportionate for such regulations. Therefore, evidence was sought to enable Defra to make a qualitative assessment of whether the Regulations had broadly met their objectives and gain an understanding of how the implementation of the Regulations might be improved. The PIR sought qualitative evidence from organisations affected by the Regulations. However, given the qualitative focus of the PIR and the low impact nature of the Regulations, the evidence sought was not aimed at quantifying and monetising the costs and benefits of the Regulations.

Therefore the evidence sought was aimed at determining whether the Regulations had met their objectives, whether the objectives and the scope of the Regulations were still valid and understanding whether the Regulations were still needed and, if so, whether they could be improved. This included the commissioning of some new data collection, in an attempt to gain



input from the traditionally harder to reach 'independent' tracks, combined with a targeted 'call for evidence' or survey of the more established relevant stakeholder groups.

As the Regulations were introduced prior to the introduction of the requirement to have a statutory review provision, there was only limited existing monitoring data sources available pre 2010 that would allow for any sort of quantitative post implementation comparison. Therefore, the research focused mainly on seeking qualitative evidence from organisations with experience of the operation of the Regulations. However, quantitative evidence, in form of injury and euthanasia statistics (which all tracks are required to keep by the Regulations) was also sought - from both GBGB and independent tracks. Given the Regulations were anticipated to directly impact only a small number of tracks (which typically have proved hard to reach), combined with animal welfare focused nature of the Regulations, the evidence sought was not aimed at quantifying and monetising the costs and benefits of the Regulations.

## **Parliamentary and stakeholder concerns and media coverage**

While the Regulations are considered relatively low impact (in terms of the size of the industry they regulate), interest in them, and in greyhound welfare, has remained high.

During the 2013-14, 2014-15 and 2015-16 Parliamentary sessions 28 Parliamentary Questions were tabled on greyhound racing, including eleven on the review of the Regulations. Further, there was a Westminster Hall debate on 17 December 2014 on Greyhound Welfare<sup>7</sup> and in September 2015, the House of Commons' Environment, Food and Rural Affairs Committee (EFRA) launched a short inquiry into the welfare of racing greyhounds<sup>8</sup>.

During 2015, both the Sunday Times (22 February '40,000 racing greyhounds hurt') and the Daily Mail Online (6 February) ran stories about injuries at greyhound race tracks. In addition, both the Dogs Trust ('The Greyhound Industry: don't bet on fair treatment' – June 2015<sup>9</sup>) and the League Against Cruel Sports ("The state of greyhound racing in Great Britain - A mandate for change" – October 2014<sup>10</sup>) have published reports in recent years on the welfare of racing greyhounds.

# **4. Methodology and findings**

## **First Stage – initial findings**

Defra undertook a two stage approach to assemble a robust evidence base to help form a view on the Regulations. Firstly, Defra undertook and commissioned research to gather evidence on the effectiveness of the Regulations and their impact on greyhound welfare. Evidence was collected, in the form of the experiences of relevant stakeholders from across

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<sup>7</sup> [Hansard 17 December 2014 Volume 589 Column 554WH](#)

<sup>8</sup> <http://www.parliament.uk/business/committees/committees-a-z/commons-select/environment-food-and-rural-affairs-committee/news-parliament-2015/greyhound-welfare-launch-15-16/>

<sup>9</sup> <https://www.dogstrust.org.uk/news-events/issues-campaigns/greyhounds/greyhound%202015.pdf>

<sup>10</sup> <http://www.league.org.uk/~/.media/Files/LACS/Publications/Greyhound-Report-2014-League-Against-Cruel-Sports.pdf>

the industry, from track operators and track vets, to re-homing organisations and welfare groups.

During this first stage, evidence was collected via two strands of research. The first strand involved commissioning a social research company, GfK, to undertake independent qualitative and quantitative research. As part of this research, GfK interviewed, by telephone, 44 people who had some experience of the operation of the Regulations. The sample was based on a quota designed to ensure a good spread of views was captured. This research explored participants' views and opinions on how effectively they felt the Regulations are currently working, particularly in relation to the required conditions, to gain a qualitative assessment of their impact. The research also explored wider greyhound welfare issues. This research was, by design, investigatory in its approach to provide detailed qualitative research regarding the Regulations. GfK also sought quantitative injury and euthanasia figures from GBGB and independent tracks.

The second strand of the research entailed Defra sending a targeted on-line survey to other relevant organisations (likely to have experience of the Regulations) with wide memberships for dissemination to their members. The survey was sent to: animal welfare organisations that work with greyhounds; greyhound trainers, owners and breeder organisations; industry bodies; and veterinary bodies. Some 103 responses were received to this exercise. Results of both strands of research were collated into one report – which formed the main reference document for a public consultation – 'Exploring Effectiveness of Racing Greyhounds Legislation (2010)'. The Report presented the initial findings of the review of the Regulations.<sup>11</sup>

## **Second stage – public consultation**

Following the first evidence gathering stage, Defra undertook a public consultation on the initial findings of the review as set out in the 'Exploring Effectiveness' report. Based on the findings, the consultation also set out possible practicable options for further action to address some of the issues raised. Reflecting the evidence gathering work that had already been undertaken, the consultation ran for 8 weeks from 6 November 2015 to 31 December 2015. To help the robustness of the initial evidence already gathered, the consultation provided an opportunity for all interested parties to scrutinise and comment on the initial findings of the Review, offering any other evidence either in support of the findings or by way of challenge to them. The consultation was also an opportunity for all interested parties to comment and, if needed, supply evidence on some of the possible options for further action. The consultation received some 1200 responses. A summary of the responses received to the consultation was published by Defra<sup>12</sup>.

## **EFRA Inquiry into Greyhound Welfare**

On 22 September 2015, the House of Commons' Environment, Food and Rural Affairs Committee (EFRA) announced that it had established a sub-committee to conduct a short inquiry into the welfare of racing greyhounds. The remit of the inquiry was to look into the

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<sup>11</sup> [https://consult.defra.gov.uk/animal-health-and-welfare/consultation-on-the-racing-greyhounds-review/supporting\\_documents/DEFRA%20Greyhounds%20Report%20FINAL.pdf](https://consult.defra.gov.uk/animal-health-and-welfare/consultation-on-the-racing-greyhounds-review/supporting_documents/DEFRA%20Greyhounds%20Report%20FINAL.pdf)

<sup>12</sup> <https://www.gov.uk/government/consultations/reviewing-the-welfare-of-racing-greyhounds-regulations-2010>

current state of greyhound racing, and to reflect on whether the right balance was being struck between maintaining a successful industry and protecting greyhound welfare, especially in their post-racing life. One of the stated aims of EFRA inquiry was also to contribute to Defra's review of the effectiveness of the Regulations.

EFRA took written and oral evidence on greyhound welfare as part of their inquiry, and their report was published on 25 February 2016<sup>13</sup>.

## Findings and conclusions

The initial findings research and the subsequent public consultation were primarily framed around the six licensing conditions contained in the Regulations. For the purpose of this report, this approach is replicated here.

### a) Condition 1: Attendance of a veterinary surgeon

The initial findings report found that most participants agreed that veterinary attendance at race tracks, with pre-race checks, has had a positive impact on greyhound welfare, with veterinary expertise identifying whether a dog was fit to race and injuries quickly attended to. However, it was also recognised that the impact was limited at GBGB tracks (where such presence was already long required before the Regulations came into force).

The research suggested that independent tracks typically did not employ a vet before the Regulations came into force (the Final Stage Impact Assessment that accompanied the Regulations found that only half the independent tracks at the time employed a vet for all race meetings). Therefore, the impact was more pronounced at independent tracks. However, for independent tracks, the provision of a vet was one of their largest financial outlays. Although we have not attempted to monetise the actual costs and benefits of the Regulations, this was in-line with the Final Stage Impact Assessment for the Regulations, which suggested that the annual cost of a vet would be the largest cost of the Regulations. The Impact Assessment estimated that the annual cost as a result of the Regulations (on independent tracks) of having a vet present at all race meetings, trials and sales trials would be £96,250; compared to an estimated total annual cost of the Regulations to the industry of £168,500.

The original assessment that the cost of veterinary presence would have the largest impact appears to have been largely borne out, although direct comparisons are difficult to make as the number of independent tracks has declined (with new independent tracks entering and leaving the industry) over the period of the Regulations.

The initial findings report also found the requirement for the attending vet to undertake pre-race checks of all greyhounds running was an additional key benefit, which had a positive impact on greyhound welfare. Again though, the impact on welfare was seen to be greater at independent tracks, given such checks were already in place at GBGB tracks before the Regulations came into force. However, some participants did question the consistency of these checks across tracks, with some checks being seen as too brief.

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<sup>13</sup> <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmenvfru/478/478.pdf>

The public consultation exercise found respondents largely in agreement with the initial findings, with some 60% of respondents who answered the question agreeing with veterinary presence at race meetings and trials with pre-running checks has, overall, had a positive impact on greyhound welfare. Again, some respondents identified that the impact was much more pronounced at independent tracks. Again, however, there were concerns about the consistency of pre-race checks. There was also a concern about veterinary independence, with vets being financially dependent on the track.

The EFRA report into greyhound welfare similarly found that the mandatory presence of a vet for all racing and trialling was seen as 'an important step forward, especially at independent tracks, which typically tended not to have them previously' (paragraph 22).

The public consultation exercise found respondents, across all stakeholder groups, overwhelmingly in agreement that this licensing condition should remain a legal requirement. 99% of respondents who answered the question agreed that a veterinary presence, with pre-race checks, should remain – to treat injuries and help ensure the welfare of racing greyhounds. However, 95% of respondents (who answered the question) agreed that the Regulations should be amended to better define the content of the veterinary inspection.

### **Condition 1: Conclusions**

The evidence gathered for this PIR suggests that the requirement to have a vet present at all meeting, trials and sales trials, with pre-running checks, has had a positive impact on greyhound welfare. As anticipated when the Regulations were developed, this impact has been more pronounced at independent tracks. While there was no suggestion that the GBGB would stop requiring the attendance of vets, should it cease to be a legal requirement, the evidence does suggest that independent tracks find the financial outlay required to employ a vet on the basis required significant. This would suggest that removing the legal requirement to have a vet present may impact negatively on greyhound welfare, especially at independent tracks. As a consequence, Defra believes that the statutory requirement to have a vet present at all races, trials and sales trials should remain.

However, Defra recognises that the PIR does indicate the further consideration is needed on whether the content of the required veterinary inspection should be better defined.

#### **b) Condition 2: Facilities for the attending veterinary surgeon**

The initial findings report found that most participants agreed that the veterinary facilities provided at the track have had a positive impact on greyhound welfare. Again though, it was noted that the impact was more pronounced at independent tracks, given that most GBGB tracks had provided the facilities before the Regulations came into force. The research also found that some GBGB tracks had had to make some improvements to meet the standards required in the Regulations. This was something that was not anticipated in the Impact Assessment for the Regulations (the Impact Assessment stated that all GBGB tracks already had adequate facilities). The estimated one off cost, of £600 per track, was only estimated to impact on half the independent tracks then in operation.

The public consultation exercise found respondents largely in agreement with the initial findings, with 78% of respondents (who answered the question) agreeing that the provision of

veterinary facilities had had a positive impact on greyhound welfare. Again, most agreed that the impact had been more pronounced at independent tracks. However, views were more divided on whether the description of the vet facilities to be provided needed amending; with 43.5% saying yes, 8.5% saying no, and 48% answering don't know.

### **Veterinary independence**

The initial findings report found that the issue of veterinary independence was spontaneously mentioned by some participants. This was also the case in the public consultation exercise, with most questions on vets being accompanied by concerns about veterinary independence. It was suggested that vets may be influenced by the track, or their decisions were overruled, because they were employed by the track, although the initial findings report was clear this was not a common occurrence.

The public consultation exercise found that some 34% of respondents (who answered the question) thought vets had sufficient authority at tracks to enforce any ruling they made, while 42.5% of respondents did not (with 23.5% not knowing). All vets responding to the public consultation agreed they had sufficient authority to ensure rulings were followed. And it was suggested that a robust arbitration service, to settle any disputes, would help uphold veterinary independence.

### **Veterinary expertise and knowledge**

The initial findings report found mixed views on the expertise and knowledge of vets. Some participants suggested that track vets expertise and knowledge should be used more by the industry, while others felt that track vets should be required to have specific qualifications (although it was recognised by some participants that this may make recruitment of track vets even more challenging). The Impact Assessment for the Regulations stated that, given the function of the track vet was to check dogs before they ran and administer first aid if required, specialist greyhound qualifications were not required. Indeed, the Impact Assessment stated that there would be a concern that such a requirement would restrict the number of affordable vets available to racetracks.

The public consultation exercise found that 66% of respondents (that answered the question) supported the idea that tracks vets should have some sort of specialist training, with 24% disagreeing. However, while some vets agreed that specialist training was desirable, some vet groups suggested that regulation may not be essential, with the government and the industry doing more to encourage track vets to enhance their knowledge through Continuing Professional Development. Further, the GBGB indicated that it was considering making attendance at an annual Track Vet Training Conference a condition of a licence for a GBGB track vet.

### **Condition 2: Conclusions**

The evidence gathered for this PIR suggests, as with the requirement to have a vet present, the requirement to have suitable veterinary facilities has had a positive impact on greyhound welfare. Again, as anticipated when the Regulations were developed, this impact has been more pronounced at independent tracks. Defra is satisfied that this requirement has had a

positive impact on greyhound welfare. However, the PIR does indicate the further consideration is needed on the description of suitable veterinary facilities in the Regulations.

On veterinary independence, the PIR suggests that this is concern for many, although there was no evidence of it being a widespread problem. Defra is satisfied that vets have enough authority at tracks to ensure any rulings they make are carried out. Therefore, Defra does not believe it is necessary to require vets to be financially independent of greyhound tracks. However, Defra agrees that further consideration is needed on whether the responsibilities of track operators to their vets should be defined in the Regulations.

On veterinary training, the PIR would suggest that, while additional training is seen as desirable, as argued by the BVA/BVASA 'regulation may not be essential here'. Defra agrees it is important for the GBGB to encourage and provide training for track vets to support their Continuing Professional Development. Defra would also strongly encourage GBGB to require attendance at an annual Track Vet Training conference to be made a condition of a GBGB track vet licence.

However, Defra recognises the concerns that requiring further specialist training may limit the number of available vets for, as well as increase financial burdens on, independent tracks. Defra considers that the presence of a vet at racetracks, to check the fitness of a greyhound before it runs, and to administer any first-aid in the event of an injury, is the most important factor at independent tracks. Therefore, Defra does not consider the Regulations need to be amended to require track vets to undertake additional racing greyhound training.

### **c) Condition 3: Kennels**

The initial findings report found that the kennelling requirement had had a limited impact on GBGB tracks (which already were required to have kennels for all dogs running before the Regulations came into force). The research found that most GBGB tracks had to make some minor changes to ensure kennelling facilities met kennelling requirements. This was something that was not anticipated in the Impact Assessment for the Regulations (the Impact Assessment stated that all GBGB tracks already met kennelling requirements). The research found the Regulations typically had a larger impact on independent tracks, where kennelling was not always available prior to 2010. The research suggested that this had been a large financial outlay for independent tracks, largely bearing out the forecast – that this would be a noticeable cost - in the Impact Assessment. The Impact Assessment stated that it was known that at least four independent tracks at the time had kennel facilities of some kind that could be adapted, while only two did not have any existing kennels. The Impact Assessment estimated that there would be a one-off cost on the independent sector of some £55,000. Recognising this additional one-off cost the Regulations contained a grace period of three years to allow independent tracks to meet this requirement.

Even though the Regulations only required kennels for 20% of dogs at a track (which would only impact on independent tracks, as GBGB tracks are required to provide kennels for all dogs) the research found that, although kennelling had been provided at independent tracks, it was not always used (there is no requirement in the Regulations for greyhounds to be kennelled prior to a race, and some trainers preferring not to kennel their dogs due to a lack of kennel supervision or the dogs not being used to a kennel environment). The research also

found there were concerns at GBGB tracks that greyhounds were kennelled for too long prior to a race, and that views regarding kennel standards were mixed.

Despite the evidence that kennels were not always used at independent tracks, the public consultation exercise found that some 81.5% of respondents (that answered the question) agreed that it was important for it to remain a legal requirement for kennelling to be provided (although, in common with the initial findings, concerns were expressed about kennelling times and the cleanliness of kennels).

The public consultation exercise found that only 32% of respondents (that answered the question) agreed that the provision of kennels for 20% of dogs at a track was still appropriate (the majority of those disagreeing wanted kennels provided for all dogs). However, the EFRA report into greyhound welfare also found, as with the initial findings report, that kennels were not always used at independent tracks. EFRA therefore concluded that the 20% quota was sufficient (paragraph 46).

The public consultation exercise also found that some 80% of respondents believed that kennelling requirements needed amending, with the provision of water being the most commonly suggested change.

### **Kennelling outside of the tracks**

The initial findings report found that many participants were keen to note that the Regulations only covered kennelling at tracks, with a strong suggestion that regulations should encompass trainers' kennels. Reports by Dogs Trust and League Against Cruel Sports had already highlighted poor conditions at some trainers' kennels.

The EFRA inquiry into greyhound welfare cited reports of poor conditions at some kennels, and recommended that kennel standards should be independently developed. EFRA also recommended Defra consider extending the Regulations to cover trainers' kennels (paragraph 56) and this was one of the options proposed in the public consultation exercise.

The public consultation exercise found that some 87% of respondents (that answered the question) favoured more action being taken on trainers' kennels (with 26% favouring a more self-regulatory approach and 61% favouring kennel standards being included in an expanded set of regulations). However, neither EFRA nor any respondents to the public consultation submitted any additional supporting evidence, including an analysis of likely costs and benefits, for either the regulatory or self-regulatory options.

### **Condition 3: Conclusions**

The evidence gathered for this PIR suggests the requirement to have suitable kennelling at tracks has had a small positive impact on greyhound welfare. Again, as anticipated when the Regulations were developed, this impact was more evident at independent tracks. Given concerns around the integrity of a race it is highly unlikely that GBGB racing would ever require anything less than a kennel for every dog that races, whether it remained a legal requirement or not. However, the PIR also suggests that it remains necessary for it to be a legal requirement for some kennelling to be made available at independent tracks. On welfare grounds alone, there still does not appear to Defra to be sufficient reason for all dogs to be

kennelled prior to a race. Therefore while Defra agrees that kennelling should still be a legal requirement, it will not be amending the Regulations to require that additional kennels be provided. The evidence from EFRA, with which Defra agrees, is that the provision of kennels for 20% of greyhounds present at the track to run is still appropriate.

However, Defra recognises that the PIR does indicate the further consideration is needed on whether the requirements for track kennels themselves need amending.

Defra's considerations for addressing welfare conditions outside of racetracks (i.e. trainers' kennels) are discussed in the *Recommendations* section of this PIR.

#### **d) Condition 4: Identification of greyhounds taking part in races or trials**

The initial findings report found that many participants were positive about the requirement to permanently identify racing greyhounds, with resultant improvements in traceability and some commenting that this requirement had resulted in the biggest and most positive impact on greyhound welfare. However, the research also found that the requirement to permanently identify greyhounds was seen as having a limited impact as it only addressed the traceability of greyhounds during a dog's racing life. The requirement did not cover dogs that never raced or had left the sport. Further there was also no requirement for owners' or keepers' details to be updated once a greyhound had finished racing. Views were also more mixed on whether both the tattooing and microchipping of greyhounds was still needed.

The public consultation exercise found that 70% of respondents (that answered the question) agreed that the requirement to permanently identify racing greyhounds appeared to have had a positive impact on greyhound welfare, with 14% disagreeing. From within the sport, respondents reported that tattooing and microchipping in tandem had improved traceability. Responses from outside the sport suggested that the requirement to permanently identify dogs had led to improved welfare through greater accountability of the owners, although microchipping was seen as more beneficial than tattooing. The public consultation exercise also found that 82.5% of respondents (that answered the question) agreed that the introduction of the Microchipping of Dogs (England) Regulations 2015 (which require all dogs in England to be microchipped from 8 weeks of age, with it being a requirement for the keeper's details to be updated for the life of the dog) should help address issues around the traceability of greyhounds before and after their racing lives, as well as better ensuring the details of keepers were kept up-to-date.

The EFRA inquiry into greyhound welfare (paragraph 22 and paragraphs 58 to 60) also stated that the introduction of the 2015 Microchipping of Dogs (England) Regulations should eventually go a long way to ensuring greyhounds can be better traced throughout their lives (not just while racing).

The consultation exercise also found that respondents (who answered the question) believed that the Regulations should be amended to be compatible with the 2015 Microchipping of Dogs (England) Regulations.

On the issue of whether it should remain a requirement for racing greyhounds to be permanently identified by tattoo, as well as by microchip, as with the initial findings report, views were mixed. Some 43.5% of respondents (who answered the question) said that



tattooing should remain, while 38.5% said it should not. Respondents wishing tattooing to remain pointed out that more details were required by the tattoo database, as well as tattooing itself providing a useful second way of identifying a dog. Those that disagreed suggested that tattooing was a painful procedure which, with the advent of the 2015 Regulations, was no longer necessary.

#### **Condition 4: Conclusions**

From all the evidence gathered for this PIR, the requirement that all greyhounds entering a race or trial be permanently identified appears to have had the most positive impact on greyhound welfare. The PIR suggests that this impact has been limited to the career of a racing greyhound whilst in the sport, and there has been less of an impact after greyhounds have left racing. However, Defra supports the findings of the PIR that the introduction of the 2015 Microchipping of Dogs (England) Regulations should go a long way to ensuring greyhounds can be better traced throughout their lives (not just while racing).

On the compatibility of the 2010 Regulations with the 2015 Microchipping of Dogs (England) Regulations, the PIR does indicate that there should be one standard for microchips and databases for all dogs. Defra agrees that the standards in the 2015 Regulations should be the main standards.

On the requirement that permanent identification take the form of both a microchip and a tattoo, Defra recognises that the PIR does indicate that views are split on this matter. Defra agrees that further consideration of the need for tattooing is required.

#### **e) Condition 5: Record of greyhounds taking part in races or trials**

The initial findings report found that the requirement to keep records of greyhounds taking part in races or trials was being kept across all tracks. However, because participants were unaware of how this data was used, many felt uncertain as to how this requirement contributed to greyhound welfare.

The public consultation exercise found that almost 96% of respondents (who answered that question) agreed that it was important for welfare purposes that it should remain a legal requirement for these records to be kept, with 0.4% disagreeing. The most common views were that the records helped ensure greyhounds were not raced too frequently, and that such records should generally help improve the traceability of greyhounds.

#### **Condition 5: Conclusions**

The evidence gathered for this PIR suggests that the requirement to keep records of greyhounds taking part in races or trials is still seen as important for welfare reasons. Defra agrees that this requirement should help ensure greater monitoring and traceability of racing greyhounds and therefore this should remain a statutory requirement.

#### **f) Condition 6: Injury records in relation to races, trials, or sales trials**

The initial findings report found that participants viewed the requirement for tracks to keep records of dogs injured during a race, trial or sales trial as having a very limited impact on greyhound welfare. Many participants commented that, although the records were being kept

as required, there was a discrepancy in the interpretation of an 'injury', with the suggestion that some minor injuries are not recorded by some tracks. Many participants also raised concerns that injury data was not reviewed in a meaningful way, although for many participants their knowledge of whether the data was used was low. The research did report examples from both independent and GBGB tracks where injury records had influenced decisions and changes to factors at a track. Many participants contributing to the research commented on the need for published injury records. Many cited this as a matter of transparency.

The Final Stage Impact Assessment that accompanied the Regulations cited the 2007 APGAW report on 'the Welfare of Greyhounds' as suggesting (based on six months of figures from 2006 provided by the then British Greyhound Racing Board) that there was a percentage incidence of injury of 0.45% of which the relative figure for hock and wrist injuries was 0.23%. These figures were for serious injuries that resulted in a greyhound being unable to race for more than 6 weeks. Comparable figures (i.e. figures for hock and wrist injuries) presented both in Defra's initial findings report and in EFRA's inquiry into greyhound welfare showed the incidence of injuries ranged from 0.17% to 0.21%. These figures were from tracks represented by the Racecourse Promoters Association (which represents 22 of the 24 GBGB licensed tracks). The figures provided in the initial findings report (from two independent tracks) showed serious injury rates ranging from 0.06% to 0.16%. However, as the research pointed out, based on only the limited partial information received, we cannot be certain of injury rates for independent tracks as a whole.

The EFRA inquiry into greyhound welfare (paragraphs 27 to 32) also was concerned about the apparent lack of greater use of injury statistics over the first five years of the Regulations. The EFRA inquiry also reported a clear demand for the industry to be more transparent over injuries; and EFRA themselves (whilst accepting that some information would need to be published in an anonymised or aggregated format) expressed concern about the industry's reluctance to, thus far, publish injury statistics. EFRA recommended (paragraph 44) that the Regulations be amended to require the publication of essential welfare data relating to injury and euthanasia figures.

Despite the research finding that this requirement had had very limited impact on greyhound welfare, the public consultation exercise found that some 99% of respondents (who answered that question) agreed that it was important for welfare purposes for it to remain a legal requirement. However, it was also felt that such records should be publically available as well as proactively monitored (with action taken where necessary). Further, of those respondents that answered the question, only 22% disagreed that the injury details to be recorded were still appropriate. The public consultation exercise also found that 94% of respondents (who answered the question) believed the Regulations should be amended to require the routine monitoring of injury records by each track.

The public consultation exercise found that some 70% of respondents (that answered the question) agreed that the non-regulatory agreement by the GBGB to publish, from 2018, aggregate injury and euthanasia figures from GBGB tracks would improve transparency in the sport (although a number of those in agreement would like to see the commitment regulated for, as well as the figures to be published before 2018).

## **Retirement Records**

The initial findings report found the participants also expressed the desire for publication of retirement records. While the collection of retirement records is not required by the Regulations, some participants felt that the publication of those records already held by the industry would help support transparency.

The EFRA inquiry into greyhound welfare (paragraphs 71 and 72) stated that the fate of retiring greyhounds that cannot be rehomed was their greatest area of concern, calling on the industry to be transparent about the destiny of retired greyhounds. EFRA recommended that data on rehoming be made available.

The public consultation exercise again found that some 70% of respondents (that answered the question) agreed that the non-regulatory agreement by the GBGB to publish, from 2018, summary statistics for the number of dogs that leave the sport each year would improve transparency in the sport (again though a number of those in agreement would like to see this commitment regulated for, as well as the figures to be published before 2018).

## **Condition 6: Conclusions**

The evidence gathered for this PIR suggests that, while injury records are being kept, there is little confidence that they are being used to aid improvements in animal welfare. However, from this section of the PIR, it was clear that the issue of transparency was, for many, the overriding concern.

Defra believes that the statutory requirement for tracks to keep records of dogs injured during a race, trial or sales trial should remain. However, Defra recognises that the PIR suggests that further consideration is needed as to whether the Regulations should require routine monitoring of injuries by tracks (with action taken where issues are identified).

Defra is also satisfied that the non-regulatory agreement with the GBGB to publish from 2018 aggregate injury and euthanasia figures from GBGB tracks will improve transparency in the sport. And the agreement by GBGB to share anonymised track injury and euthanasia data for bona fide research purposes will help improve welfare. Therefore, at this time, Defra does not believe there is a need for a statutory requirement requiring the industry to publish injury statistics. However, the PIR has shown there would still be some concern about injury rates at independent tracks.

Defra also believes that the non-regulatory agreement with the GBGB to publish from 2018 summary statistics for the number of dogs that leave the sport each year will also improve transparency in the sport. There is no statutory requirement for these figures to be kept, and Defra is satisfied that, at present, no statutory requirement to collect and publish these figures is required.

### **g) Guidance**

The initial findings report found, for independent track operators, there was mixed awareness and use of the 2010 'Guidance for Independent Track Operators'. Those who were aware of and used the guidance found it valuable. The public consultation exercise found that most

respondents who answered the question believed the guidance should be retained and updated, with perhaps more being done to raise awareness of it.

## **Guidance: Conclusions**

Defra agrees that independent track operators need to be made aware should the Regulations change. Defra will consider how best to target the small number of remaining independent tracks with any updates on the Regulations.

### **h) Regulation**

#### *(a) GBGB regulated tracks*

The initial findings report found that participants had mixed views on the roles played by UKAS, GBGB and local authorities in enforcing the Regulations. In general, the research suggested that GBGB enforcement of the standards in the Regulations was seen as more robust than local authority enforcement; with inspections being undertaken more frequently by inspectors with a better knowledge of greyhound racing. Further, UKAS accreditation was recognised as a core regulatory tool and there was little criticism of the actual concept of an independent body such as UKAS, scrutinising the certification work of another body – in this case the GBGB. The research found no evidence that GBGB enforcement, independently scrutinised by UKAS, was not ensuring GBGB tracks were being adequately or independently regulated.

The EFRA inquiry into greyhound welfare reported concerns about the consistency of the regulatory framework across the country (paragraph 25) but also found no evidence of critical failings that would warrant the creation of an independent regulator at this point (paragraph 94).

While the public consultation exercise found that, amongst respondents that answered the question, some 16.5% agreed that GBGB enforcement of the Regulations was satisfactory (with 57.5% disagreeing), this was higher than those agreeing the local authority enforcement of the Regulations was satisfactory. Of those respondents that answered the local authority question, some 11.5% agreed that local authority enforcement of the Regulations was satisfactory (with 55.25% disagreeing). However, of those disagreeing that GBGB were effectively enforcing the standards in the Regulations, criticisms centred on a lack of transparency by the sport, or criticisms of the standards themselves (usually not covering other areas of the sport such as trainers' kennels). While there was also criticism of the GBGB as not being sufficiently independent as a regulator, no respondents (who answered the question) submitted evidence supporting the view that the UKAS accreditation model used in the Regulations (which provides independent scrutiny of GBGB's role as an enforcer of the standards in the Regulations) was not effective.

#### *(b) Local authority licensed tracks*

The initial findings report found that some participants had concerns about the enforcement of the Regulations at independent tracks, with suggestions that independent tracks were inspected less frequently than GBGB tracks, by local authority officers who were not dedicated greyhound experts. However, some participants suggested that local authorities had the potential to be more independent of the industry than the GBGB.

The EFRA inquiry into greyhound welfare reported a general acceptance that the extension of the standards in the Regulations had improved the welfare of greyhounds at racetracks (paragraph 14), which EFRA welcomed. However, EFRA still suggested that there were significant differences between the levels of regulatory oversight between the two systems (paragraph 19). EFRA suggested that the main differences between the two systems were: a lack of testing for drugs at independent tracks and fewer inspections of independent tracks by local authorities, as compared to GBGB tracks (drug testing, however, is not a requirement of the Regulations). EFRA recommended that Local Authorities should undertake to inspect independent tracks more frequently and undertake random inspections.

The Final Stage Impact Assessment that accompanied the Regulations assumed local authority licences would initially last for one year, for the first three years, before local authorities would award longer licences. Both the initial findings research and the EFRA inquiry suggest the local authorities are at the stage of awarding licences that last for three years. Neither report, however, identified whether licences had initially been awarded annually. The Impact Assessment also assumed that there would be at least two local authority inspections per licence. Both EFRA and the initial findings research suggest there is only one inspection per licence.

The public consultation exercise found that some 11.5% of respondents, who answered the question, agreed that enforcement of welfare standards at local authority licensed tracks was adequate (with 55.25% disagreeing). Concerns here, expressed by those outside independent racing, centred on knowledge of local authority inspectors and how much of a priority enforcement of the Regulations was for local authorities.

### **Regulations: Conclusions**

The evidence gathered for this PIR did not suggest that the model of enforcement provided for in the Regulations is not working. The standards in the Regulations at GBGB tracks are being satisfactorily maintained; with the enforcement work of the GBGB at GBGB tracks is being independently monitored by UKAS. For those tracks not wishing to affiliate to the GBGB – the independent tracks – the Regulations allow them the option of being licensed by their local authority instead. While there was some evidence that these independent tracks were inspected less frequently than GBGB tracks, there was little evidence that local authorities were not satisfactorily enforcing the standards required by the Regulations. Defra is therefore content that the model of enforcement contained in the Regulations is robust. Indeed, as a model, Defra is considering whether it can be applied in other areas of animal welfare, as well as within other areas of greyhound racing.

## **5. Overall conclusions & recommendations**

### **To what extent have the Regulations achieved their original objectives?**

The evidence gathered for this PIR suggests that the Regulations have been successful in establishing a set of minimum welfare standards at all greyhound racetracks in England, which has promoted the welfare of racing greyhounds. As anticipated when the Regulations were drawn up, this was largely by ensuring welfare standards at independent tracks were improved

to match standards at GBGB tracks. In addition, the requirement for all racing greyhounds to be microchipped appears to have improved the traceability of the dogs during their racing lives. However, while this PIR found that the impact was diminished after a greyhound had left the sport, the PIR also found that this weakness will be largely addressed by the introduction of the Microchipping of Dogs (England) Regulations 2015. The 2015 Regulations should ensure greyhounds are microchipped, with their keeper's details kept up to date, both before and after their racing lives.

## **Are the objectives and scope of the Regulations still valid?**

The PIR found that the original objectives of the Regulations, in relation to greyhound racetracks, are largely still valid. The evidence gathered showed that minimum welfare standards, set down in regulation, were still seen as necessary for all greyhound tracks, especially to ensure welfare at independent tracks. The objective of the Regulations to improve the traceability of greyhounds, while still seen as important, has now largely been superseded by the introduction of the Microchipping of Dogs (England) Regulations 2015. Defra will wish to consider how this should be reflected in any revision of the 2010 Regulations.

The PIR also found that there were concerns regarding welfare conditions away from greyhound tracks. It was commonly agreed that more needs to be done to address conditions at trainers' kennels. The PIR also found that there was a widespread view that the GBGB was not sufficiently transparent, often citing the industry's refusal to publish injury or retirement records.

## **Is regulation still the best option for achieving those objectives?**

The PIR found that regulation was still seen as the best option for setting an acceptable welfare standard for greyhound racetracks. As mentioned above, the objective of improving the traceability of greyhounds has now largely been taken on by the new Microchipping of Dogs Regulations. The evidence gathered by the PIR also did not indicate that the hybrid system of enforcement of the standards in the Regulations was not working. Other than a criticism that the standards themselves did not go far enough there was little evidence that the system of allowing a body, such as the GBGB, to regulate the standards in the Regulations at GBGB tracks, as long as it was accredited by UKAS to do so, did not maintain standards. The government is satisfied that the model of enforcement contained in the Regulations has worked and is still the best way of delivering those standards. However, the PIR did produce evidence that some amendments to the standards in the Regulations should be considered. The PIR also produced evidence that further consideration of the scope of the Regulations may also need to be considered. These areas for further work are discussed below.

## **Recommendations**

### **a) Condition 1: Attendance of a veterinary surgeon**

The PIR has found that, while the attendance of a veterinary surgeon at all races, trials or sales trials, has had a positive impact on welfare, and should remain a statutory requirement, there were some useful suggestions on how the content of the required veterinary inspection could be better defined – to both ensure consistency between tracks and improve welfare.

Useful suggestions included: a hands on examination, rather than an inspection; the examination including a 5 metre trot-up and return, and the examination looking at some health factors e.g. teeth, weight and skin condition.

Defra will therefore give **further consideration to better defining the required veterinary inspection in the Regulations** to help improve compliance and achieve further welfare benefits.

#### b) Condition 2: Facilities for the attending veterinary surgeon

The PIR has found that, while the provision of veterinary facilities at racetracks has had a positive impact on welfare, there were some common suggestions as to how the description of suitable veterinary facilities in the Regulations could be amended. Common suggestions included the provision of CCTV in the vet's room to allow the vet to follow all races and trials, and the provision of a lockable refrigerator for prescription only medicines.

Defra understands that the provision of a monitor connected to the track's closed circuit system (so that the vet is able to view replays of injuries) is already a requirement of GBGB's Rules of Racing – unless dispensation has been granted by the Greyhound Regulatory Board. The GBGB's Rules of Racing are covered by that organisation's UKAS accreditation. It is unclear, but it is unlikely, that independent tracks currently have such CCTV facilities in the vet's room as it is not required in the Regulations. However, the Regulations do require the facilities to be located close enough to the track to allow quick access. The Regulations also require the provision, in the vet's room, of a lockable cupboard for the storage of veterinary medicines.

The evidence gathered for the PIR did not provide any indication of the likely costs to tracks of making any amendments to the vet's facilities or any likely benefits over what is already required. However, Defra will undertake further analysis of the likely costs and benefits, **in consideration of whether the facilities for the attending veterinary surgeon need amending** to see whether further welfare benefits can be achieved.

**Further consideration will also be given as to whether the responsibilities of track operators to their vets should be defined in the Regulations.** While the PIR did not find that track vets lacked sufficient authority at tracks, there were interesting arguments that suggested a requirement for tracks to have an arbitration process, or similar Standard Operating Procedure would help address any disputes or disagreements that may arise between track vets and track operators or trainers. This may help improve compliance.

#### c) Condition 3: Kennels

The PIR found that requirement to have suitable kennelling at tracks should remain a statutory requirement. However, there were some useful suggestions on how the requirements for track kennels could be amended to further promote welfare. Useful suggestions included: the provision of water, ensuring that kennels were clean and dried between use and a maximum kennelling time for greyhounds. The Regulations already require track kennels to be cleaned between uses by individual dogs; and disinfected and dried between days on which races, trials and sales trials take place. A further suggestion was that track kennels should be equipped with climate control or air conditioning equipment. The Regulations already require track kennels to have a regular follow of clean air, whether by natural or artificial means, to

allow sufficient ventilation for a greyhound; and have an ambient temperature suitable for dogs just raced. However, a further useful suggestion was that there should be a record kept of the air temperature and relative humidity at track kennels.

To see whether further welfare benefits can be achieved, Defra will therefore give **further consideration to the requirements in the Regulations for track kennels.**

#### *Kennelling outside of the tracks*

The PIR found support for further action to address welfare conditions at trainers' kennels in England. However, while the PIR found more support for further regulation (the option 3 cited in the Consultation stage of the PIR) there was little evidence found on conditions specifically at those professional trainers operating only on independent tracks.

Defra has agreed with the GBGB that they should work through the British Standards Institute (BSI) and with relevant stakeholders to develop a Publicly Available Specification (PAS) for trainers' kennels. The GBGB could then gain UKAS accreditation as a regulator of those standards. This would ensure that all trainers' kennels in Great Britain affiliated to the GBGB would be subject to those standards. **GBGB should now begin this process.**

However, while the PIR still found concerns about conditions at those professional trainers operating only on independent tracks (who would not be covered by the above GBGB PAS and accreditation scheme) there was no supporting evidence found of the scale of the problem at such kennels. As the government's 'Principles of Regulation' make clear, regulation should not impose costs and obligations on business or individuals unless a robust and compelling case has been made. So far, that case has not been made.

However, **Defra will give further consideration to Option 3 as set out in the Consultation stage of the PIR.** Further evidence will be required as to the precise numbers of professional trainers operating solely at independent tracks in England and likely conditions at those kennels. Defra will seek that evidence and if it suggests that further regulation is required then this can be considered. As set out in the Consultation stage of the PIR, the PAS - which we want GBGB to now pursue – could then be incorporated into further regulation, adherence to which would form the main licensing condition of the regulations. Trainer's kennels would require a local authority licence, but there would be an exemption from the need to obtain such a licence for any trainer licensed by a body accredited by UKAS in relation to the enforcement of the standards in the PAS (i.e. GBGB).

#### d) Condition 4: Identification of greyhounds taking part in races or trials

The PIR has found that the requirement to permanently identify racing greyhounds has had the biggest positive impact on welfare, with improved welfare through greater accountability of the owners. In addition, the introduction of the Microchipping of Dogs (England) Regulations 2015 should help address some of the issues identified concerning the traceability of greyhounds before and after their racing lives. However, the combination of the 2010 Regulations in their current form and 2015 Regulations now means that standards for microchipping of racing greyhounds are contained in two separate pieces of legislation. To help simplify the implementation process, Defra will **consider amending the 2010**



## **Regulations to ensure there is one recognised legislative standard for dog microchips and microchip databases.**

The PIR found that views on whether permanent identification of racing greyhounds need to take the form of both a microchip and a tattoo were split. In other areas of dog ownership, such as ownership of types of dog prohibited under the Dangerous Dogs Act 1991, the government has taken the view that microchipping alone is a sufficient form of permanent identification. Therefore, to reduce costs on the industry as well as simplify the implementation process, Defra will **give further consideration to amending the Regulations to remove the requirement for racing greyhounds to be tattooed** as well as microchipped.

e) Condition 5: Record of greyhounds taking part in races or trials

The PIR found that this condition should remain a statutory requirement.

f) Condition 6: Injury records in relation to races, trials, or sales trials

The PIR found that the statutory requirement for tracks to keep records of injuries of dogs running in races, trials or sales trials should remain. The PIR also suggests that further consideration is needed on whether the Regulations should require routine monitoring of injuries by tracks (with action taken where issues are identified). UKAS would expect any accredited body receiving such data to review it and address any issues identified. To improve compliance and achieve further welfare benefits, Defra will give **further consideration to amending the Regulations to ensure routine monitoring of injury statistics (with action taken where necessary) is required for all tracks.**

The PIR also found that there were concerns about the lack of transparency surrounding injury rates at independent tracks. Defra will consider **whether a voluntary agreement could be reached with the remaining independent tracks** which would allow either Defra or the Animal and Plant Health Agency (APHA) to collect and collate injury statistics from those tracks, to allow them to be published on an aggregated and anonymised basis.

g) Guidance

Defra will consider how best to target the small number of remaining independent tracks with any updates on the Regulations.



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