

Welfare of Racing Greyhounds

League Against Cruel Sports Response to the Associate Parliamentary Group for Animal Welfare

Executive Summary

The League Against Cruel Sports considers that the welfare of racing greyhounds cannot continue to be enforced at the whim or discretion of industry bodies whose record is one of repeated denial and abject failure. The industry is effectively controlled by a multi-billion pound gambling industry. It is clear that the financial profit of the bookmakers has long been put before the welfare of dogs that race. The League is particularly concerned about suggestions that self-regulation may be allowed to continue at National Greyhound Racing Council (NGRC) tracks when independent tracks would fall under statutory regulation. This would create a two tier level of welfare for racing greyhounds in England, putting dogs further at risk than dogs in Scotland and Wales where the Parliament and Assembly respectively are planning to issue strict statutory regulations under new animal welfare legislation.

The League Against Cruel sports acknowledges that progress has been made by some in the industry who are genuinely concerned about welfare, but there is a significant section of the industry who show themselves to be unable to prevent major problems from occurring. The solutions proposed by the League are welfare focussed and would apply irrespective of club membership or allegiance, putting the welfare of the dogs before competing commercial interests. We propose one single regulatory authority tasked with establishing and enforcing welfare rules

Introduction

1. The League Against Cruel Sports seeks protection for racing greyhounds from suffering and from needless killing. Considering the billions of pounds per year taken by the off-course bookmakers, many of whom control even those tracks they do not own by allocating either BAGS contracts or awarding grants, the League calls for a compulsory levy of one penny in the pound on each bet made to be passed on to make necessary welfare improvements and maintain protection for racing greyhounds. We would also like to see a compulsory levy in addition to an independent licensing and monitoring organisation tasked with implementing measures addressing the welfare concerns raised through this consultation.

Self-regulation

2. There has been a clear and distinct shift in Government opinion. Lord Rooker said during the Committee stage of the Animal Welfare Bill that it was necessary to be satisfied that it was possible for self-regulation to be open and auditable¹, suggesting that the Government still believed that self-regulation was a possibility. More recently, however, Ben Bradshaw MP, Parliamentary Under-Secretary of State at DEFRA, wrote that "it would not be possible for me to endorse a system where main-stream welfare organisations have solid grounds for questioning the integrity of the regulatory body."²
3. The industry is currently self regulated. The association between the current system of self-regulation and the lack of improvement in welfare standards for racing greyhounds is clear. It would have been to the benefit of the current controlling figures in the industry to have addressed welfare concerns raised by organisations like the League Against Cruel Sports. By addressing these concerns the industry would have been able to avoid government intervention and the possible creation of a statutory levy. Despite the apparent desire of the NGRC to address welfare concerns, they have not taken sufficient opportunity to escape criticism or potential regulation by acting to improve animal welfare. It is this neglect which forms the basis for argument against continued self-regulation.
4. Industry denial is also of great concern, especially when one considers the possibility of self-regulation continuing. This denial suggests concerns raised by Lord Rooker over transparency in the greyhound industry are well founded. The industry has long denied the claims by animal welfare organisations that there is systematic abuse of animal welfare within greyhound racing. Lord Lipsey, chairman of the British Greyhound Racing Board, provided a stark example of this during the Lords Committee stage of the Animal Welfare Bill when he said "the idea that they [racing greyhounds] are disappearing into a dark hole or black pit with stones around their legs is a myth"³ This denial of disappearing greyhounds, a charge made against the industry for many years, was followed eight weeks later by the revelations in *The Sunday Times* regarding the mass slaughter of greyhounds which prompted this very inquiry.

¹ House of Lords Official Report, *Animal Welfare Bill, Lords Committee stage*, 24 May 2006, Column: GC225

² Letter from Ben Bradshaw MP, Parliamentary Under-Secretary of State (DEFRA) to Philip Hollobone MP, 25 September 2006

³ House of Lords Official Report, *Animal Welfare Bill, Lords Committee stage*, 24 May 2006, Column: GC220

5. Both the British Greyhound Racing Board (BGRB) and the NGRC were invited to contribute to the Government's initial public consultation on its planned Animal Welfare Bill. Neither thought greyhound welfare was sufficiently important to respond.
6. The greyhound racing industry has a culture of secrecy at its core. Recent revelations regarding the destruction of dogs in County Durham, where thousands of greyhounds were slaughtered, raises a number of questions over the destination of retired dogs and the lack of scrutiny by the NGRC over their fate. In the first article NGRC licensed trainers were recorded taking healthy dogs to be destroyed.⁴ In a second article by the *Sunday Times* it was brought to public attention that at least two of the dogs destroyed had raced a number of days before being taken to be slaughtered.⁵
7. During the Associate Parliamentary Group for Animal Welfare meeting on 17th July 2006 Lord Lipsey referred to the culture of secrecy, stating that any attempt to regulate the greyhound industry would force cruelty underground. This reinforces the League's argument that the industry cannot be trusted to continue with self-regulation. If Lord Lipsey is correct in his analysis, and those involved would take cruelty underground if statutory regulation was implemented, then they cannot be trusted to abide by self-regulation.
8. Self-regulation has consistently seen a lack of accountability within the industry. The number of greyhounds who fail to meet racing standard and their ultimate fate remain unknown as the NGRC has persistently failed to implement an effective tracking system. Of the 10,000 greyhounds retired each year, only 3,000 are known to be re-homed by greyhound welfare groups. It is widely acknowledged that many of the remaining dogs are dispatched, and there is no evidence that this is done humanely.
9. Despite voluntary provision of monies by off-course bookmakers to the British Greyhound Racing Fund (BGRF), this arrangement was under threat from its conception. Writing in the *Racing Post* on 28 April 2004 Lord Lipsey stated that "welfare improvements at tracks need to be funded by the paying customers" – he went on to say that facilities for customers must be improved first to provide extra income. The League believes that, while welfare problems are so widespread, it is unacceptable to delay their implementation in favour of improving facilities for customers.

⁴ Killing field of the dog racing industry, *The Sunday Times*, July 16th 2006, <http://www.timesonline.co.uk/article/0,,2087-2272307.html>

⁵ Greyhounds killed for losing races, *The Sunday Times*, July 30th 2006, <http://www.timesonline.co.uk/article/0,,2087-2291734.html>

10. Bookmaker's contributions to the BGRF have remained consistently low as a proportion of their total annual greyhound related income – roughly around 0.5% (£9.8m). Of this £9.8m just over £1m is spent by the BGRF on welfare support initiatives compared to £1.5m on racecourse improvements.⁶ Even if all the bookmaker's contributions went to welfare, it is only half of the £21m that would be provided by the 1p in the pound compulsory levy proposed by the League. Of the total expenditure by this fund, grants to the British Greyhound Racing Board (BGRB) for welfare initiatives only began in 2005, at the same time as a doubling of the assistance for marketing and promotional issues. Furthermore, whilst welfare support spending has increased slightly since 2004 (by 0.3%)⁷ it remains at a level around a third of what is provided by the BGRF for prize money. Whilst some prize money may be spent on welfare improvements by trainers there is no guarantee this money will be ring fenced for welfare improvements. The priority provision of funds for prize money and marketing from the BGRF further identifies a need for statutory controls and a compulsory levy.
11. The small contributions made by bookmakers through the BGRF do not cover the roughly 20 independent tracks. These independent tracks, where former NGRC greyhounds routinely extend their racing careers, are the most in need of regulation and would need financial assistance above that of the current NGRC tracks. Perhaps only through a compulsory levy on bookmaker's turnover and distribution by an independent licensing body will independent tracks have access to the necessary funds to allow them to make these important welfare improvements.
12. The effects of problems under self-regulation can therefore be identified as:
- The built-in conflict of interest between welfare and profit under self-regulation.
 - The legacy of secrecy that has historically resulted in continued welfare concerns.
 - The lack of stability in the current system of voluntary funding, as opposed to a compulsory levy, for welfare improvements means funding – let alone sufficient funding - is never guaranteed.
 - The disparity between addressing welfare concerns and funding improvements at tracks.

⁶ Areas of expenditure during 1992 to 2005, *British Greyhound Racing Fund*, <http://www.bgrf.org.uk/expenditure.pdf>

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Self-regulation vs. statutory regulation

13. The Government's Better Regulation initiative seeks to simplify and remove regulatory burdens. The Better Regulation Task Force has outlined five 'Principles of Good Regulation' – that regulations are proportional, accountable, consistent, transparent, and targeted.

- Proportional: statutory regulations must be appropriate to the risk they aim to address. The League believes that, where animal welfare is seriously compromised, as it is within greyhound racing, and where self-regulation consistently fails to address welfare concerns, it is entirely appropriate for statutory regulations to be introduced to end the suffering of animals.
- Accountable: regulators must be able to justify their decisions. An independent body whose remit is to maintain basic welfare standards and promote better welfare could be designed to be accountable to Parliament. Scrutiny of its actions by Government would ensure accountability.
- Consistent: rules and standards must be consistent and fairly applied. This is not achievable through self-regulation or where two separate licensing bodies are enforcing welfare standards.
- Transparent: regulators should be open and keep regulations simple. One charge made against the NGRC is that it has consistently failed to be open and auditable. A publicly accountable licensing authority will be required to be open and auditable.
- Targeted: regulation should be focused on the problem. A licensing body with powers concerning animal welfare will only cover animal welfare issues.

14. It is, of course, understandable that concerns over statutory regulation will be expressed. The League believes the benefits of statutory regulation outweigh any potential negative consequences. In particular, we believe in the precautionary principle, namely that welfare of the greyhounds must be put before the profits of the industry. The League would argue that where implementation costs are high, further funding should be sought, and where the implementation of statutory regulations impacts on jobs efforts should be made to make those jobs secure. Additionally, statutory regulation will give greyhound racing a gold standard of welfare protection and assurances that welfare concerns would be addressed. This has the potential to improve track attendance and in doing so improve industry profit, and in turn provide more money for welfare improvements.

15. The current "threat" of direct intervention by government has not proved to be enough to encourage sufficient steps to be taken to ensure proper welfare. Those owing greyhounds a duty of care may not take up welfare

improvements schemes unless required to by law – this is the only solution that will positively encourage compliance. This problem has been highlighted by John Haynes', chairman of the Greyhound Trainers Association, on the poor uptake by trainers of the BRGB Trainers' Assistance Fund offer to finance air conditioning in trainers' vehicles when he commented in the *Racing Post* that:

"I really don't know what more we could have done to inform everyone of what was on offer... Yet I went to one track recently which has 12 trainers attached and only one of the vans had air-conditioning. It's very frustrating."⁸

A perceived reduction in Government consideration of statutory regulation, and therefore potential tighter controls, may explain the poor enforcement of NGRC rules and take-up of welfare improvements mentioned above.

16. Success in providing welfare improvements for racing greyhounds will only come as a package of applying regulation across the industry. The Select Committee on Environment, Food and Rural Affairs pre-legislative report on the Animal Welfare Bill concluded that "40% of greyhound racing tracks are run independently of the NGRC" and that "If these tracks do not wish to register with the NGRC, they cannot be compelled to do so."⁹
17. To permit NGRC tracks to continue to operate without independent scrutiny or regulation would establish two differing levels of welfare within the greyhound racing. Tracks subject to independent regulation would have to provide a standard of welfare designed to meet the needs of the racing greyhounds. Failure to comply with these welfare standards could result in the financial penalty of having a track's operating licence removed.
18. The structure of the industry also lends argument towards statutory regulation as opposed to self-regulation or regulation of independent tracks. Some independent tracks would be unable to meet the financial requirements to raise welfare standards to the level required by a licensing authority covering only the independent tracks. In the absence of substantial financial support by the bookmakers' for the greyhounds bred for racing and those who continue to race after they have left NGRC tracks it would not be a good welfare solution for independent tracks to close and dogs to be put down. Better funded self-regulated NGRC tracks would therefore potentially become a monopoly as the smaller independent tracks close under the burden of the partially regulated side of the industry. Self-regulating NGRC tracks would

⁸ Greyhounds: Haynes frustrated over air-con, *Racing Post*, 02 August 2004

⁹ First Report on the Draft Animal Welfare Bill, *Select Committee on Environment, Food and Rural Affairs* <http://www.publications.parliament.uk/pa/cm200405/cmselect/cmenvfru/52/5213.htm#a76>

continue to operate outside of the scrutiny or control of an independent regulator approved by Parliament for monitoring independent tracks.

19. Self-regulation has been shown to fail to meet objective welfare standards. For example, the NGRC *Rules of Racing* still fails to include a section on minimum welfare standards: whilst elements of the NGRC rulebook cover small welfare issues there is no written code covering the welfare of greyhounds. Matters such as betting by trainers, payment of prizes, points and entry fees are covered, but there is no official entry on track surfacing or layout. NGRC rules fail to provide for adequate rest periods between races for dogs to recover. Given that a significant number of dogs retire due to small injuries obtained from over racing, this is a key issue which, if addressed, could reduce the number of retiring dogs each year and reduce over-breeding. A lack of welfare rules has led to incidents such as those at the Sittingbourne greyhound track in December 2004 where five trainers were sacked by the track manager for removing their dogs from a Boxing Day race due to ice on the track.¹⁰ NGRC has also refused to consider basic issues such as independence of vets and the rehoming of racing greyhounds to their fullest extent.
20. Government has so far presented self-regulation as a serious option for the greyhound racing industry – promoting industry codes of practice as an effective alternative to government “red tape”. It is clear that self-regulation of greyhound racing is linked to a lack of accountability in the industry, leading to inadequate animal welfare standards. It was concerns over the welfare of performing animals that led to the licensing of zoos, and concern over the welfare of farm animals that led to government intervention and minimum welfare standards on farms. The limited evidence of success of self-regulation when animal welfare is concerned indicates that properly designed statutory regulation is the only answer to addressing the problems faced by the greyhounds in the racing industry.
21. In conclusion statutory regulation would provide the following benefits over self-regulation:
 - Operation across the whole greyhound racing industry – independent and NGRC licensed
 - Could be self-financing through license fees or a compulsory levy
 - Would build confidence among the public and animal welfare organisations – potentially boosting attendance and revenue at greyhound races

¹⁰ Row over suspended dog trainers, *BBC News online*, <http://news.bbc.co.uk/1/hi/england/kent/4167275.stm>

- Would enable the racing industry, bookmakers and animal welfare organisations to work constructively through the independent regulator
- Would provide a system which is adaptable as it covers the entire industry
- Would provide independent complaints and scrutiny procedures
- Should meet concerns over the training, competence and supervision of welfare monitors
- Should develop information sharing across the industry on welfare issues

Inspections

22. Inspectors tasked with ensuring compliance with welfare regulations should be independent of influence from tracks, trainers, bookmakers or national representative bodies such as the NGRC. Independent veterinary surgeons should be present at each track for each racing trial and each race meet. DEFRA should maintain a list of trained persons, both veterinary surgeons and other competent persons, who are able to undertake inspections. Inspectors should be prohibited from undertaking inspections at a track or premise in which they have any commercial interest. Tracks and trainers should not be inspected by their own veterinary surgeon. These measures should ensure that inspectors are competent, accountable and independent.

23. Whilst some local authorities have applied previous animal welfare related inspections in a less than consistent manner, a system based on current zoo licensing could provide an inspection solution. Local authorities would appoint inspectors from the DEFRA list of approved officials who would inspect tracks in line with a national gold standard format of inspection. Officials would have the power to fail a track inspection and decline the granting of an operating license. Inspections would be un-announced if necessary and inspectors would conduct a risk based assessment with full access to the injury database and register of dogs. Local authority costs could be recovered through the licensing scheme.

Tracks

24. Improvements have been made in standards of kennelling at greyhound tracks in recent years. However, minimum conditions should be identified (covering size, management, bedding, temperature and humidity, freedom from interference) and applied to the whole industry. It would be a breach of commitment to improve welfare standards if NGRC tracks were permitted to self-regulate and two different standards of welfare were created for kennelling.

25. Track design varies greatly and despite a wide range of expertise within the industry it is clear that track layout and surfacing can cause considerable injuries to dogs. An injury survey would allow data to be collected and published on the impact of track designs and surfacing in injuries. This should cover all tracks and would allow the worst tracks to improve through best practice. Tracks should have an Animal Welfare Officer who will detail welfare issues arising from track conditions. This would avoid situations such as the disagreement at Sittingbourne Greyhound Racing Track.¹¹

Identification and Registration of Dogs

26. There is a need to centralise data held on dogs in an electronic database similar to that of the horse racing industry. This database should include details of the owner of the dog. Such a system would need to apply to the whole industry. Micro-chipping should be introduced for ease of identification and to prevent attempts by those who remove the ears of destroyed animals to avoid identification via ear tattoos.

Trainers and track staff

27. Qualifications should be introduced by the regulatory body to license trainers and track staff. This would set minimum standards of knowledge for those involved in the industry and, given the relatively high standard of knowledge held by many trainers and track staff; this should not be prohibitively expensive for existing staff and could be offered at different NVQ levels to allow staff to obtain qualifications for their specific area of employment.

28. Trainers' kennels should adhere to standards for physical structure, climate controls and management. Staff to dog ratios should be considered to prevent over-populating kennels, as should the amount of time individual dogs spend in kennels. Trainers should be registered with the regulatory body regardless of whether they are racing dogs in their care. They should also be required to register with a local vet to provide veterinary care for the dogs. Regulations concerning trainers should be specifically designed to consider the needs of smaller trainers as well as larger trainers.

29. Regulations should be laid down to govern the transport of racing greyhounds providing minimum necessary levels of restraint and climate control. They should provide for the wide variety of vehicles which are used to transport dogs to ensure that welfare is not compromised between kennels and tracks.

¹¹ Row over suspended dog trainers, *BBC News online*, <http://news.bbc.co.uk/1/hi/england/kent/4167275.stm>

Racing procedures

30. Grading should be extended to allow older and slower dogs to run in a class representative of their physical ability. Lower grade races would extend the racing careers of many dogs and could be used to address high levels of over-breeding and retirement within the industry. This would seek to avoid the situation which prompted this investigation in which two of the dogs destroyed by David Smith were shot because they had performed badly in a race a few days earlier.¹² It could be the case that, had greater provision been made for racing dogs at different grades, their destruction would not have occurred.
31. There is agreement that interference with a dog or drug use would not be in its welfare interest. No dog should be raced if it needs medication to do so. Any system of regulation should include provisions to prevent interference with a dog. There is current concern over the use of canine season suppressants. A disciplinary hearing for leading greyhound vet Paul Evans has heard that four substances permitted for use by both the Government and NGRC as season suppressants actually breach NGRC rule 174i relating to the admission of drugs that affect the well-being of a greyhound.¹³ All four substances have been claimed to cause adverse effects on the welfare of female greyhounds and the NGRC's own website states that Durateston has "an androgenic effect" and causes other "undesirable side effects".¹⁴

Retirement

32. Potential owners should be made aware of the responsibilities for providing an adequate retirement for greyhounds. This is especially necessary for syndicated ownership where those who hold an interest in the dog may have little or no contact with it over the course of a racing career. Tracks also bear a responsibility to ensure that those dogs who race are provided for when their careers end and should promote rehoming through forging links with local rehoming centres, providing space at tracks for such centres to promote rehoming and holding 'benefit' nights to raise money for retiring dogs. Where dogs are particularly hard to re-home their retirement should be financially supported by the industry itself.

¹² Greyhounds killed for losing races, *The Sunday Times*, 30 July 2006, <http://www.timesonline.co.uk/article/0,,2087-2291734.html>

¹³ NGRC are breaking their own rules on welfare and performance manipulation, *Greyhound Star*, Vol 25 No 9 September 2006

¹⁴ Seasonal Suppression of a Bitch, NGRC, <http://www.ngrc.org.uk/default.asp?article=Seasonal+Suppression+of+a+Bitch&articleid=43&parentarticletype=Fact+Sheets>

33. Chronic over-breeding within the industry must be addressed, to reduce the retirement rate of dogs. Changes to racing grades, track conditions, and greater scrutiny of the careers of racing greyhounds will go some way to reducing the opportunity for negligent owners to destroy individual dogs. Zero tolerance attitudes towards owners who have dogs destroyed without due reason, perhaps through lifetime bans, would go some way to alter the perception of racing greyhounds as material for financial gain. The secrecy within the current self-regulated industry, coupled with denial from the NGRC, indicates that requirements concerning the retirement of racing greyhounds would not universally be adhered to without the weight of a national independent regulatory body.
34. The test for the industry should be proven 100% success in rehoming racing greyhounds.

Conclusion

35. The League Against Cruel Sports believes there are compelling arguments for introducing statutory regulations governing greyhound racing. Whilst the Animal Welfare Bill will ensure that there is a duty of care for owners of racing greyhounds the League believes that regulation of greyhound racing should be considered along similar lines to that of horse racing and other public activities employing animals.
36. Continued denial from the NGRC over widespread welfare abuses within the industry and statements from leading figures suggesting that greyhound racing already suffers from a culture of secrecy do not lend themselves to arguing in favour of continued self-regulation by the NGRC.
37. The League Against Cruel Sports is clear that the only way to employ consistent standards of welfare across the industry is through independent licensing and regulation. The close relationship between the industry and the bookmakers raises considerable concerns about the priority of the NGRC when considering welfare issues. The NGRC has so far failed to seize the opportunity to make the necessary improvements for the welfare of racing greyhounds that would alleviate public concern.