



## **CFSG RESPONSE TO DEFRA CONSULTATION**

The Canine and Feline Sector Group (CFSG) is a group comprised of the leading third sector animal welfare organisations and relevant enforcement, veterinary and industry representatives that seeks to improve the health and welfare of dogs and cats. CFSG advises and reports to Defra and the Animal Health and Welfare Board on issues of common concern to the sector

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

**Question 1: To what extent do you agree with the following statement: ‘veterinary attendance at all race meetings and trials with pre-running checks has, overall, had a positive impact on greyhound welfare’? Please provide any comments or evidence to support your answer.**

In the absence of any published data (such as number of injuries, time taken to administer treatment to injured dogs and the number of dogs withdrawn under veterinary advice pre- and post-the regulations), it is not possible to objectively assess the impact of the existing licensing condition. However, CFSG asserts that the requirement for a veterinarian to be in attendance has almost certainly had a positive impact on greyhound welfare, most particularly in the case of those greyhound tracks where no veterinarian was in attendance prior to the introduction of the Regulations.

**Question 2: Do you agree or disagree that this condition should remain a legal requirement on all greyhound tracks in England? Please provide any comments or evidence to support your answer.**

CFSG considers the role of the attending veterinarian (to inspect every greyhound prior to its race, trial or sales trial and to remove any greyhounds deemed unfit to compete, and to promptly administer first aid, pain relief or euthanasia), as a fundamental minimum welfare safeguard. We therefore strongly agree that this condition should remain a legal requirement on all greyhound tracks in England. The BSAVA as the body representing the veterinary profession on CFSG feel agree that veterinary attendance should remain a legal requirement and this should apply to GBGB and independent tracks

**Question 3: Do you agree or disagree with the suggestion that the Regulations could be amended to better define the content of the veterinary inspection prior to any race, trial or sales trial? Please comment on what content would be useful.**

CFSG understands that some respondents to the GfK study noted the lack of consistency in the quality of the pre-race/trial/sales trial inspections and believed the time spent inspecting to be too brief which may impact upon the welfare of individual dogs and lead to less obvious issues being missed, although it is recognised that a full clinical exam would not be reasonable and handling each dog intimately would risk transferring latent infectious disease. In addition, there were some participants which noted that some dogs have been allowed to run despite being lame although we are not in possession of any evidence to support this suggestion.

It is our view that the regulations could be amended to ensure inspections are standardized. This is really something for SGV and AGTV to comment on more fully but it may be appropriate to ensure that examination (to include palpation) rather than just inspection is allowed even if not always required across all tracks and veterinary surgeons, and should detail the purpose of the inspection so that it is clear that every vet is required to inspect each greyhound intending to run and be satisfied that it is able to do so. [Note: it is not unusual for lay persons to overestimate what is possible from a visual inspection of dogs. It is important that we keep in mind that the inspection process on a race night needs to be realistic in terms of intervention and time - lameness assessment is probably the most challenging issue]

There are undoubtedly examples of good practice within the profession (for example including physical inspection as well as gait observation) and these could be used as model guidance for all vets and tracks. We would encourage Defra to engage with the veterinary profession on this subject as the profession is best placed to advise on a standardised approach.

We also suggest that post-race/trial/sales trial inspections by the attending veterinarian would help to promptly identify injuries resulting from, or aggravated by, racing and could help protect welfare if, for example, treatment was provided at that point.

**Condition 2: Facilities for the attending veterinary surgeon**

**Question 4: Do you agree or disagree with the initial findings that the provision of veterinary facilities has, overall, had a positive impact on greyhound welfare? Please provide any evidence to support your answer.**

It is highly likely that the statutory requirement for veterinary facilities to be provided has had a positive impact on greyhound welfare, particularly at those tracks that may not have had such facilities prior to the introduction of the regulations. We are unable to provide an evidence-based response to this question in the absence of data showing, for example, the number of dogs which were treated at the track rather than having to be transported elsewhere, and the respective recovery rates would need to be analysed pre- and post- the regulations. However this is almost certainly unnecessary as the presence of suitable facilities would certainly support the ability of the attending veterinary surgeon to administer immediate and timely first aid to an injured greyhound.

**Question 5: In your opinion does the description of the facilities to be provided need to be amended in anyway? Please provide any suggestions.**

We recommend that this part of the regulations be agreed in collaboration with veterinary surgeons (i.e. the Society of Greyhound Veterinarians (a division of the BVA), or the Association of Greyhound Track Vets).

We recommend that a lockable refrigerator be added to the itinerary, specifically for the storage of prescription only veterinary medicines (POM-V) that require storage at cool temperatures. However we strongly urge this is discussed with the veterinary profession as the legislative requirements for the secure storage medicines and the veterinary supervision of the supply of POM products is a complex area.

We are also of the view that the veterinarian should be able to monitor all races, trials and sales trials and the presence of close circuit TV or equivalent is likely to facilitate this.

**Question 6: To what extent do you agree with the following statement: ‘the track vet has sufficient authority to ensure any ruling they make, with regard to whether a greyhound is fit to run, is carried out’? Please provide any comments or evidence to support your answer.**

The wording of the existing licence condition is clear, that the track “operator must remove from a race, trial or sales trial any greyhound which the attending veterinary surgeon has ruled unfit to run.”

We are not aware of any evidence, other than anecdotal, that the recommendations made by vets are not followed, which appears to be the thrust of the question. We would suggest that the issue of concern raised by some participants relates to the financial or contractual independence of the vets being asked to attend the tracks.

It is important to fully understand the extent of any perceived problem related to the independence of the veterinary surgeon. If this is a concern about veterinary integrity it is a matter for the Royal College of Veterinary Surgeons to comment upon. If it is simply a perception of bias driven by the route of payment for the vet’s service then it is matter for the profession to comment upon.

Veterinarians are of course at liberty to withdraw their services in the event of dispute however, this would be an extreme reaction. We recognise that vets are bound by the professional oath and obligations, and we have no desire to suggest any impropriety or conflict of motive, however a system whereby tracks contract and remunerate their own vets places the professional at an awkward juncture. Even where propriety is achieved, there is a reputational risk for vets and industry where one can be alleged to compromise the other Neither AGTV or SGV are reporting problems in this area but this is an area where independence must be maintained

It is our view that a system keeping vets contractually and/or financially independent from the track would avoid this problematic juxtaposition and increase confidence for all concerned. We note the

strong and clear recommendations in this area made by Lord Donoughue in his Independent Review of the Greyhound Industry (2007)<sup>1</sup> but that have not been fully embraced by the industry.

A solution needs to be found to resolve this issue and perhaps both sides require an appeal procedure so that all may be content that the decision to exclude a dog is taken correctly.

**Question 7: To what extent do you agree with the following statement: ‘the track vet does not need to obtain specialist racing greyhound training in order for them to operate as a track vet for the purpose of the Regulations’? Please provide any comments or evidence to support your answer.**

We would agree with this assessment on balance, though accept that it can be argued either way. Any veterinary surgeon should be capable of assessing a dog’s fitness to compete and be able to treat injury with suitable first aid. However a knowledge of the injuries commonly found in racing greyhounds and the physiology of the breed would enhance the service a veterinary surgeon may provide.

Veterinary surgeons are required to work within their competence (RCVS Code) and therefore will need appropriate training to undertake this work – however care should be taken with the use of the term “specialist” as this has a very specific meaning in terms of qualifications and experience. Consideration should be given to establish the level of training required and making sure that this training is available to any vet undertaking track work

Whilst regulation may not be essential in this area we would be pleased to see Government encourage the industry to itself promote continuous professional development and encourage vets working at greyhound tracks to enhance their knowledge of the breed, the physiology of the greyhound and the range of conditions and injuries that it may sustain as a racing animal. We note only limited evidence of a proactive approach by the industry in this area and in the lifespan of the Regulations to-date.

However, we also recognise that the community of specialists in this field is small within the profession and the difficulty in acquiring continuing professional development on the subject.

### **Condition 3: Kennels**

**Question 8: To what extent do you agree with the following statement: ‘it is important for welfare purposes that it remains a legal requirement for tracks to provide kennelling for dogs that race or trial at the track’? Please provide any comments or evidence to support your answer.**

We broadly agree with the statement, however we would add in two important caveats – firstly, the kennels must meet the standards set down in the Regulations (with due regard to temperature and ventilation in particular), for there to be any point in their being a legal requirement and these standards must meet the dog’s physical and psychological needs). Secondly, they must be inspected through an accredited procedure to ensure compliance with these standards for there to be any point in these standards being a legal requirement.

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<sup>1</sup> Lord Donoughue Report Chapter 15, Page 124 “In their evidence to us, many vets claimed that their employment relationship can create a conflict of interest between their own professional judgement on greyhound welfare matters and the commercial interests of their employers.”

We would also recommend that any standard employed is developed in line with current standards available for other times when any dog is kept in kennels. For example using up to date research findings, an expert panel and ensuring compliance with current legislation.

**Question 9: Do you agree or disagree with the statement: ‘the requirement for tracks to provide kennels for at least 20% of the total number of greyhounds taking part in a race or trials is still appropriate’? Please provide any comments or evidence to support your answer.**

We are not clear as to why the regulations currently require only kennels for a minimum of 20% of the total greyhounds. If the provision of kennelling is deemed to be of welfare benefit to greyhounds at tracks then consideration should be given to extending the requirement to provide kennels for *all* greyhounds taking part in a race or trial or sales trial. We would be concerned that in the absence of such sufficient kennelling, dogs may be retained in vehicles at the track, which are likely to be unsuitable for the temperature ranges experienced in England. Dogs should never be left unattended in cars.

**Question 10: In your opinion do the requirements for adequate kennelling need amending to add clarity? Please provide any comments on which terms and why.**

In our opinion the current requirements are clearly written, however we make the following points:

To protect dog welfare, we recommend that the minimum standards for kennels at tracks be based on evidence of a dog’s physical and psychological needs and ensuring compliance with Section 9 of the Animal Welfare Act (2006). In the absence of data from the industry, we are not in a position to assess the welfare impact of the current requirements.

CFSG members hold concerns on three points: firstly, the absence of statutory maximum kennelling duration for a greyhound at a track; secondly the temperature range in which a kennelled greyhound must be kept (with the availability of bedding and coats recommended in cold weather); and thirdly the absence of a regulatory requirement for water to be available to all greyhounds in track kennels at all times. The RSPCA is also concerned about the lack of provision for monitoring the greyhounds whilst in kennels as well as guidance for the management of dogs which are not coping.

Some members hold concerns that a number of tracks licensed and inspected by GBGB do not permit greyhounds to have access to water within the kennels at the tracks until after they have raced, where they may be kennelled for several hours or more. Access to water is a fundamental welfare need as set out under the Animal Welfare Act 2006. We understand this anomaly is being addressed by means of a GBGB hydration trial and strongly encourage that access to water becomes a mandatory requirement in the Regulations so that both GBGB and Independent tracks are covered.

**Question 11: Which of three options highlighted in this consultation for addressing welfare standards at trainer’s kennels do you believe will best secure acceptable welfare standards? Please provide an explanation or comments on your choice: include demonstrating why this approach is superior to the alternative two options. You can also include, if possible, an analysis of the likely costs and benefits.**

CFSG is of the view that Option 3 is the most appropriate model to secure acceptable animal welfare standards. We provide comments on each option in turn:

Option 1 - The Animal Welfare Act is rarely enforced and reliance upon it to improve greyhound welfare would do little to challenge the status quo, a view largely echoed we feel by the GfK review. As a recent inspection by the Dogs Trust<sup>2</sup> has shown, there are at least some trainer's kennels which are licensed and inspected by GBGB but that appear to fall below their published standards, and so this approach is unlikely to satisfactorily protect or improve the welfare of greyhounds.

Option 2 – this represents an improvement, and GBGB has clearly demonstrated a willingness to work with outside agencies on this model. However, there are significant questions with this approach that we struggle to reconcile when assessing how this model could work. Which relevant stakeholders would be considered as a partnership? What proportion of trainers (and therefore their kennels) are affiliated to GBGB, and so what level of industry coverage would be the result of the using GBGB affiliation as a basis for standards? Also, how would this model overcome the fact that it has no legal enforcement or recourse in the event of dispute? We believe that the operational questions around Option 2 are too wide and fundamental for CFSG to feel that this approach is appropriate.

Option 3 - we feel this is the most robust approach and will likely be the most effective. The consultation argues that the earliest these Regulations could be into force is late in 2017, however this is set out as the same timescale for a less effective management structure in Option 2. This would, crucially, apply to all trainers whether GBGB-affiliated or not and ensure consistent minimum animal welfare standards across all establishments however this would also require a robust inspection scheme in place to ensure compliance with the standard. This Option places welfare at the heart of the regulatory structure and we would expect welfare organisations to be encouraged to work with industry on drafting mutually acceptable and proportionate Regulations. In doing so, we encourage Government to consider the applicability of existing Regulations pertaining to other commercial kennelling establishments.

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

**Question 12: To what extent do you agree with the statement: 'the requirement that all greyhounds entering a race or trial must be permanently identified appears to have had a positive impact on greyhound welfare'? Please provide any comments or evidence to support your answer.**

It is very difficult to assess the effectiveness of this change without data from the industry, however we believe that compulsory, permanent identification for all dogs improves traceability significantly and see no reason why that would not be the case for Greyhounds. It has worked well for the licensed tracks for many years and needs to be a requirement for the unlicensed tracks. A modern electronic record system would allow analysis of an individual dogs racing history.

**Question 13: From 6 April 2016, all dogs in England will be required to be microchipped from 8 weeks of age, with a legal requirement for the details of any new keeper of a dog to be updated on an acceptable microchip database. To what extent do you agree with the statement: 'the requirement for all dogs to be microchipped from 8 weeks of age will help further improve the**

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<sup>2</sup> Dog's Trust (2015) Don't bet on fair treatment.

**traceability of greyhounds, including any greyhound that has left the sport'? Please provide any comments or evidence to support your answer.**

To help improve traceability there has to be the means to track all greyhounds throughout their lives. This requires dogs to be registered on electronic databases which permit the dog to be identifiable throughout its life. The ability to capture data about each dog's trajectory through its racing career and its eventual fate would do much to reassure the public that all dogs are accounted for and would confirm the numbers of greyhounds leaving the sport and their eventual fate.

The microchipping regulations have not been developed for this purpose rather to identify a dog to its owner and will most likely be used to aid reunification between dog and owner. So, the microchip regulations will certainly assist when a greyhound leaves the sport and becomes a pet animal. However, it will not rectify the problem there is at the moment where all greyhounds already have to be identified but there is substantial number of greyhounds, many thousands a year that are lost from the system without a known cause or fate. The reason for this seems to be the lack of transparency in the identification system whether that is the regulating body not sharing the data on identification or the difficulties of access to the five microchipping databases. Access to the data is limited to statutory authorities such as the Local Authority and Police Officers and so the change in Identification Regulations which helpfully occur in Wales, Scotland, England and Ireland at roughly the same time are welcome for pet dogs but are unlikely to help the traceability of greyhounds in the sport.

**Question 14: Given the Microchipping of Dogs (England) Regulations 2015 require microchips and microchip databases to meet specific standards, do you think the 2010 Greyhound Regulations still need to detail acceptable microchip and microchip database standards? Please provide any comments or evidence to support your answer.**

We suggest that it is essential that the Regulations should be compatible with the Microchipping of Dogs (England) Regulations 2015, which apply to Greyhounds as they do to other breeds. We assume this can be simply achieved by a cross reference to the 2015 microchipping regulations providing that the same information is required and that the same people can access the information.

**Question 15: Do you think it should remain a legal requirement, for welfare purposes, for all racing greyhounds to be tattooed as well as microchipped? Please provide any comments or evidence to support your answer.**

We would like to reiterate here that; on the whole, it is how the data from each individual dog is used which is likely to improve welfare not just the fact that a particular dog is identifiable. However, it is recognised that in the same way that compulsory microchipping will aid reunification between pet dog and their owner, the same can be said for greyhounds so there are benefits to dog welfare in being clearly identified.

The BVA AWF/FRAME/RSPCA/UFAW working group on refining dog husbandry and care<sup>3</sup> stated that 'since it is impossible to tattoo painlessly, and because tattoos can be difficult to read on pigmented skin, tattooing is being phased out in preference to microchipping'. Based on this, our understanding that microchipping is now well-established within the sport, and the difficulties with the use of tattoos; for instance legibility decreases with age, and ears can be cut off when the dog is disposed off, we believe that for welfare purposes it should not remain a legal requirement for greyhounds to be tattooed as well as microchipped.

We note that the Dangerous Dogs Exemption Scheme (DDES) requires microchipping as an exemption condition<sup>4</sup> but tattooing is no longer required and as such there is precedent for microchipping over tattooing.

In due course once the technical advances have brought the costs of genetic profiling for ID purposes down to competitive cost that consideration be given to linking the microchip number with a suitable genetic profile for each dog. This will help resolve the problem of occasional microchip failures and resolve any ID challenges where microchips have been removed.

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

**Question 16: To what extent do you agree with the statement 'it is important for welfare purposes for it to remain a legal requirement for tracks to keep records of dogs that race or trial at the track'? Do you have any comments or evidence to support your answer?**

We believe that this is vital as accurate records underpin measures to improve greyhound welfare, however simply keeping records does not improve welfare. For this to occur, records of dogs that race or trial at a track have to be made available along with other relevant data e.g. injury and euthanasia figures, for scrutiny and analysis by an independent body on a specified, timely and regular basis for rolling analysis and to identify patterns and allow remedial action to be taken.

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

**Question 17: Do you agree or disagree with the statement 'it is important for welfare purposes for it to remain a legal requirement for tracks to keep records of dogs injured during a race, trial or sales trial'? Do you have any comments or evidence to support your answer?**

We consider it essential for such records to be kept. In the absence of such data, it will be very difficult for a track to identify trends associated with specific types of injury and logically therefore this will result in poor implementation of effective remedial actions. Coupling microchipping with modern IT solutions should make collection of these records more efficient and effective. There should then be a requirement to analyse this data.

**Question 18: Do you agree or disagree that the injury details to be recorded, as required in Condition 6 of the Regulations, are still appropriate? Do you have any comments or evidence to support your answer, or suggestions for amendments?**

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<sup>3</sup> Prescott, M.J., Morton, D.B., Anderson, D., Buckwell, T., Heath, S., Hubrecht, R., Jennings, M., Robb, D., RUane, B., Swallow, J. and Thompson, P. (2004). Refining dog husbandry and care: Eighth Report of the BVA(AWF)/FRAME/RSPCA/UFAW Joint Working Group on Refinement. Laboratory Animals 38, (Supplement).

<sup>4</sup> [http://www.legislation.gov.uk/uksi/2015/138/pdfs/uksi\\_20150138\\_en.pdf](http://www.legislation.gov.uk/uksi/2015/138/pdfs/uksi_20150138_en.pdf)



We agree that the injury details required to be recorded are still appropriate. However, the regulations should be amended such that data is collected in a standardised and consistent way to ensure meaningful ongoing analysis across tracks, races etc and appropriate action taken based on injury data. Amendments should include the development and dissemination of guidance for a standardized way of keeping records pertaining to injury and the information required about injuries to ensure consistency.

Publishing the data would be welcomed as it demonstrates that the industry is prepared to be measurable, open and accountable. The industry can use the data to counter false claims about particular issues and celebrate those tracks and trainers whose efforts best protect welfare.

**Question 19: Should the Regulations be amended to require routine monitoring of the injury records by each track? Do you have any comments or evidence to support your answer?**

We believe it is important for regular, timely and routine monitoring of injury records to take place in order to establish any trends which may be improved through amendments to the construction or maintenance of the track and its running surface. Such analysis should be undertaken by an appropriately qualified and independent person. The benefit is not limited to the design and construction of tracks but with analysis may reveal epidemiological factors that lead to specific types of injury.

**Question 20: To what extent do you agree or disagree with the following statement ‘the non-regulatory agreement by the GBGB to publish, from 2018, aggregate injury and euthanasia figures from GBGB tracks will improve transparency in the sport’? Do you have any comments or evidence to support your answer?**

Whilst datasharing is a positive step, we have significant concerns around such non-regulatory agreements. The agreement will not take into account the non-GBGB sector of the industry, comprising approximately five Local Authority-regulated tracks in England (or approximately 17% of the industry). Such agreements would not be binding nor data emanating from them independently validated, verified or audited and we could recommend that the figures are released to an independent board which can make recommendations following analysis and dependent on findings. There needs to be appropriate analysis of the data so any problems can be identified and rectified. Finally there is concern that it will take until 2018, two years, for these figures to be published and we would ask that it be expedited as they should already be available to some extent.

**Question 21: To what extent do you agree or disagree with the following statement ‘the non-regulatory agreement by the GBGB to publish, from 2018, summary statistics for the number of dogs that leave the sport each year will improve transparency in the sport’? Do you have any comments or evidence to support your answer?**

In the recent past it has been estimated that around 8,000 greyhounds are retired each year with the Retired Greyhound Trust rehoming 3,742 dogs in 2013 alongside other independent rescue and rehoming organisations rehoming retired greyhounds. However, the fate of each individual dog is not currently known. Therefore we view this as a positive step and one that improves transparency as well as assisting welfare organisations engaged in the homing of retired racing greyhounds with

their planning. However, some members have significant concerns around this being a non-regulatory agreement. As stated above, the agreement will not take into account the non-GBGB sector of the industry, comprising approximately five Local Authority-regulated tracks in England (or approximately 17% of the industry). Secondly, such agreements would not be binding nor data emanating from them independently validated, verified or audited. . Again there needs to be appropriate analysis of the data and it should not take until 2018 as much of the data should already be available.

The CFSG would also like to highlight that this initiative will only improve transparency around the number of dogs and their fate at the end of their racing career. We believe that the industry should be transparent at all life stages. Whilst we recognize that this may be beyond the scope of the regulations and as such this review, we would encourage the industry to consider how transparency throughout a greyhound's life could be achieved so that, for example, the proportion of dogs bred for a racing career and not registered to race can be gauged and the surplus and their fate better understood.

**Question 22: Do you have any comments on whether it is worthwhile for Defra to retain, updating if necessary, the Guidance for Independent Track Operators?**

We believe it is necessary for track operators to have access to the guidance. Without it, it would prove difficult to meet the standards required by the regulation. Based on the responses to the GfK research, those who had higher levels of awareness and knowledge of the guidance felt it was valuable. We would therefore suggest that if necessary the guidance be updated but efforts may be better aimed at improving awareness of the guidance within the independent sector.

**Question 23: Based on the initial findings of the Review to what extent, do you agree or disagree that the enforcement of welfare standards required by the Regulations is satisfactory at (a) GBGB regulated tracks and (b) local authority licensed tracks? Do you have any comments or evidence to support your answers?**

We acknowledge that GBGB has retained UKAS Accreditation in respect of its role in licensing and inspecting tracks against the welfare standards required by the Regulations. However, we remain extremely concerned that the welfare standards do not extend to trainer's kennels, where greyhounds spend the majority of their time.

We do not have any evidence to substantiate a position regarding the enforcement of welfare standards at the local authority licensed tracks. However, with so few tracks requiring the attention of their local Council it is reasonable to question whether inspectors tasked by local authorities retain the skills and experience of those employed by GBGB.

We agree with many of the participants who expressed desire for consistent regulation cross all tracks such that the standard for both sectors are the same with one regulator.

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