

BHA non-runner review – full recommendations

Following a detailed review process including extensive industry consultation and data analysis, the British Horseracing Authority (BHA) Board has approved the implementation of the following recommendations.

A full implementation plan is currently being produced and, wherever possible, the measures outlined will become effective from October 2017.

TRAINERS WITH HIGH RATES OF NON-RUNNERS AND SELF-CERTIFICATION

The non-runner rate, defined as the total number of non-runners shown as a percentage of the total declarations made, can vary significantly between trainers. The BHA will begin to publish non-runner rates on its website so that the media and racing public can compare the rates of different trainers. Moreover, measures will be taken against those trainers with non-runner rates above published thresholds. Based on the approach and thresholds set out below, 16 trainers would currently face automatic suspension from using self-certificates.

Recommendation 1: *The BHA will publish ‘league tables’ showing individual trainer non-runner rates at the end of each quarter, with data based on a rolling 12-month basis (i.e. in October 2017, the data published would cover the period from 1 October 2016 to 30 September 2017). Flat and Jump tables will be published, omitting trainers who have not had at least 100 declarations in the 12-month period under review.*

Recommendation 2: *With reference to the tables, any trainer with a non-runner rate above a published threshold percentage would be automatically suspended from using self-certificates for 12 months. The threshold rate would be set initially at 50% above the average non-runner rate. The average Flat non-runner rate in 2016 was 9.1%, so trainers with a non-runner rate of 14% or above would lose the right to self-certify. The Jumps average last year was 7.6% so trainers at 12% or above would be suspended from using self-certificates. No changes will be made to the rule that allows horses who have arrived at the racecourse to be withdrawn due to the ground (regardless of whether the going description has changed) and all such non-runners would be excluded when considering whether a trainer’s non-runner rate exceeds the permitted threshold.*

Recommendation 3: *Any trainer above the threshold but not included within the published data (due to having fewer than 100 declarations during the previous 12 months) would have their situation reviewed. Any such trainer may be suspended from using self-certificates if it was considered appropriate by the BHA.*

VET’S CERTIFICATES

While it is feasible that a horse may be unfit to race one day and then fit the next – much as for human beings – cases of horses returning to the track soon after having been issued with a vet’s certificate may understandably lead to concerns on equine welfare and public perception grounds.

Introducing a 48-hour mandatory stand down period for all non-runners with a vet's certificate would ensure that no horse could run in a subsequent race for which declarations had already been published. There are currently around 60 non-runners every year that are withdrawn with a vet's certificate and return to the track within 48 hours.

Recommendation 4: *Any horse that has been declared as a non-runner with a vet's certificate would not be able to race on the two days following the race. For example, if a non-runner is issued with a vet's certificate for a race that takes place on Monday, the horse would not be able to race on Tuesday or Wednesday. It could return to the track on Thursday.*

NON-RUNNERS DUE TO GROUND CONDITIONS

There will be specific focus on situations where horses are withdrawn on account of the going only to reappear on ground with the identical going description within the following month. It is acknowledged that going descriptions can be subjective and the description at one track may not necessarily fully equate to the same description at another track. However, prior to running in a race, a trainer would be asked by the Stewards to explain why they are prepared to run the horse on the same going description that they had only recently used as a reason to withdraw the horse. This will apply to both turf and all-weather races.

Recommendation 5: *The Stewards will hold an enquiry prior to a race taking place where a horse is scheduled to run on the same going as that on which it had been withdrawn during the previous month because of the ground. Where a pattern arises or where it is considered that circumstances warrant it, action may be taken such as preventing the horse from running.*

In addition, a horse is currently permitted to be declared as a non-runner in the event of any change of going between declaration and the race. Lengthy consideration was given to introducing a going scale within the rules and requiring a more significant change in ground conditions before a horse can be withdrawn due to the going, albeit with a greater degree of tolerance at the extremes of going.

The concerns of the NTF and trainers were considered in relation to this particular recommendation including that it would result in a significant increase in horses being transported to racecourses only to be withdrawn due to ground once the trainer had inspected the conditions.

It was ultimately decided not to introduce this measure at this time and a horse will still be able to be withdrawn due to the ground in the event that there is a change in the going description once declarations have closed. The number of going related non-runners will remain under close scrutiny, however, particularly when there has been only a marginal change in the going description. This matter will be revisited in the second half of 2018 once the other recommendations have been implemented and their impact on the number of non-runners can be fully assessed.

Recommendation 6: *The BHA will closely monitor the number of going related non-runners, particularly when there has only been a marginal change in the going descriptions since the deadline for declarations. The possibility of introducing a scale of going changes within the rules of racing and requiring a more significant change of going for a horse to be withdrawn, albeit with a greater degree of tolerance at the extremes of going, is to be reconsidered once the other recommendations have been implemented and their impact on the number of non-runners can be assessed.*

INACCURATE OR MISLEADING GOING DESCRIPTIONS

It is an acknowledged fact that, while training and GoingStick technology attempts to mitigate the issue, there will always be an element of subjectivity to Going descriptions. Following feedback from horsemen, the BHA has agreed to take steps to monitor situations whereby going descriptions are changed following the start of racing and take action should there be evidence of trends emerging at specific racecourses.

Recommendation 7: *All cases of a late change to going descriptions (i.e. once racing has started), including any relevant circumstances, will be recorded and reviewed by the BHA, with the record of each individual clerk considered on an annual basis. In addition, the BHA will investigate situations where there is a high percentage of non-runners withdrawn having already arrived on the course. Where these records indicate some cause for concern, the racecourse inspectorate team will increasingly visit the relevant racecourse in the lead-up to fixtures to assess the ground conditions and compare these with the Clerk's going description.*

NON-RUNNERS ANNOUNCED LATE

The later the non-runner is made known, the greater the disruption it causes to the betting and racing public. A late non-runner can also impact on the jockey who was due to ride the non-runner and may have already incurred expenses in travelling to the racecourse. In the twelve months to the end of June 2017, 44.4% of non-runners occurred after 9am on the day of the race. This excludes horses who are withdrawn after the jockey weighed out.

The ROA and PJA agree riding fees on an annual basis and, subject to the BHA's approval, the riding fees are incorporated within the Rules of Racing. In 2015, it was also agreed that a 40% riding fee would be paid to the jockey involved for non-runners declared after 9am on the day of the race, and this was also added to the Rules of Racing.

With a view to reducing the damaging impact of late non-runners on racing's customers, the BHA encourage the ROA and PJA to agree the introduction of a full riding fee for non-runners declared after 9am on the day of the race, together with a freeze on the general level of riding fees in 2018.

Recommendation 8: *With a view to reducing the number of late non-runners, the BHA encourage the ROA and PJA to agree that an owner will pay the full riding fee to the jockey of a non-runner declared after 9am on the day of the race and also that this takes the place of any increase to the riding fee in 2018. At current volumes, the total cost to owners of*



introducing the full riding fee for non-runners declared after 9am on the day of the race would equate to approximately a 2.4% increase in the riding fee.

Recommendation 9: *In those cases where non-runners incur a fine, the fixed £140 fine is to be substantially increased for any such non-runners declared after 9am on the day of the race. In 2016 there were 81 cases of trainers being fined for a non-runner, with 35 of those non-runners occurring after 9am on the day of the race.*

PREVENTING RACES FROM BEING RE-OFFERED SO THAT THEY CAN ATTRACT MORE RUNNERS

It seems likely that, on occasions, self-certification has been used as part of an approach to prevent the deadline for declarations being extended as a result of there being seven or fewer declarations at the original deadline for the race closing. This would involve a trainer declaring a second or third entered horse to ensure that the race attracts enough declarations not to be extended but then withdrawing the additional horse(s) with a self-certificate after declarations have closed.

Recommendation 10: *When considering whether to extend the 10am deadline for declarations under Rule F (90), any trainer who has declared more than one horse will be treated as if a maximum of one declaration has been made.*