R (Greyhound Board of Great Britain Ltd) v Welsh Ministers

Press Summary: For release at 2pm, 20 March 2026

This summary is provided by the court for the assistance of those reporting the judgment (neutral citation [2026] EWHC 670 (Admin)). It does not form part of that judgment.

Headline:

1 The Divisional Court (Lord Justice Lewis and Mr Justice Chamberlain) this afternoon handed down a judgment dismissing a claim for judicial review challenging the decision of the Welsh Ministers to introduce into the Senedd of the Prohibition of Greyhound Racing (Wales) Bill ("the Bill").

Background:

2 The claimant was the Greyhound Board of Great Britain Ltd, which represents the interests of those involved in the greyhound racing industry. It filed a claim challenging a statement made by the Deputy First Minister of Wales ("DFM") in the Senedd on 18 February 2025 expressing his belief that "now is the right time to move to ban greyhound racing in Wales". The claimant said that the Welsh Ministers should have held a public consultation before they took that decision.

3 On 29 September the DFM introduced the Bill into the Senedd. It passed stage 4 of the legislative procedure on 17 March 2025. In December 2025, the claimant applied to amend its claim, seeking declarations that:

> "a. There was an unlawful failure by the Defendants to consult on the proposal to ban greyhound racing in Wales;
>
> b. The Defendants' decision to ban greyhound racing in Wales was unlawful;
>
> c. The exercise of the statutory function by the DFM in his capacity as a Welsh Minister pursuant to section 110(1)(a) of the Government of Wales Act 2006 was based on that unlawful decision and is consequently unlawful;
>
> d. The Defendants are expected to seek the permission of the Senedd to withdraw the Bill pursuant to Senedd Standing Order 26.79; and
>
> e. The Senedd is expected to permit withdrawal of the Bill."

4 The hearing took place on 10 and 11 March 2026 in Cardiff. The claimant, the Welsh Ministers, the Senedd Commission and the Presiding Officer (or Llywydd) were all represented by counsel.

Decision:

5 On 20 March 2026, Lord Justice Lewis and Mr Justice Chamberlain handed down a judgment dismissing the claim. Their reasons can be summarised as follows.

6 GoWA establishes the Senedd as the legislature in which laws are made for the people of Wales by their democratically elected representatives. The Senedd owes its legitimacy to the historical and contemporary political fact that Wales is a distinct polity within the United Kingdom and to the depth and width of the experience of its elected members and the mandate given to them by the electorate: [37].

7 In areas falling within its legislative competence, the Senedd has plenary legislative powers. One consequence of this, reflected in s. 107 of GoWA, is that the Senedd is, in general, the sole arbiter of the procedure to be adopted in enacting legislation: [38].

8 Accordingly, in general, it would not be appropriate for the courts to consider procedural complaints about the way that Bill had been considered by the Senedd. A court would be ill-equipped to adjudicate such complaints, which are likely to have a political dimension. Doing so would infringe the constitutional separation of powers: [40].

9 The introduction of a Bill, whether by a Welsh Minister or by any other Member of the Senedd, is the initiating step in legislative proceedings. This means:

(a) The Senedd is in charge of the process. It would be inconsistent with this, and contrary to the principle of the separation of powers, if the courts could review the initiating act on the ground that some prior process of consultation should have been completed before the legislation was introduced: [46].

(b) Once the Bill becomes an Act, any invalidity in the introduction of the Bill will be an "invalidity in the Senedd proceedings leading to its enactment" within s. 107 of GoWA and, therefore, incapable of affecting the validity of the Act. It would be anomalous if the court could, on the basis of the same invalidity, grant relief affecting the validity of the Bill before its enactment: [47].

10 More generally, ss. 111B and 112 of GoWA create a procedure by which a challenge to a Bill can be brought on particular grounds by particular individuals before the Supreme Court at a particular time. It would be inconsistent with the scheme of the Act if it were possible to bring other challenges before a first instance court at different times: [48].

11 So, the Welsh Ministers had no legal obligation to consult the public, or any section of the public, before the Bill was introduced into in the Senedd on 29 September 2025. Insofar as it seeks to challenge that decision, the claim fails: [55]. In those circumstances, it would be wrong for the Court to consider the challenge to the DFM's earlier statement:

(a) That challenge is academic. Any procedural flaw at the pre-legislative stage is now water under the bridge given that the Bill was lawfully introduced and the Welsh Ministers have no power to withdraw it: [57].

(b) The determination of a claim alleging a procedural flaw at the pre-legislative stage would be an impermissible interference with the proceedings of the Senedd and contrary to the constitutional separation of powers: [58].

Ends