



Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 15 May 2012:

Mr J Akerman (in the chair)

Mr R Coughlan

Mr A Hunt

Dr AJ Higgins*

(* denotes where Dr Higgins was present in an advisory capacity as Independent Doping and Medication Adviser)

1. ***POSITIVE SAMPLES FOR HYOSCINE AND ATROPINE**

The Disciplinary Committee received reports of five positive samples for hyoscine and atropine taken on the following dates:

- 11 December 2011 - Pelaw Grange Stadium - KILLILA ALICESON - Greyhound Trainer Mr W Sheldon
- 15 December 2011 - Peterborough Stadium - CALLURA TWITTER - Professional Trainer Mr P Ward
- 19 January 2012 - Peterborough Stadium – BALLYMOREFIN ANN - Greyhound Trainer Mr M Ogden
- 19 January 2012 - Romford Stadium - BALLYRIDGE BOUND - Professional Trainer Mr P Young
- 02 February 2012 - Henlow Stadium - LANDOWN LENNY - Professional Trainer Mrs J Houfton

The trainers concerned had been advised by the Director of Regulation that it was not necessary for them to attend the hearing, as its purpose was to consider the circumstances surrounding a number of positive samples, including the possibility of feed contamination. The trainers had been given the option to attend if they wished, and informed that non-attendance would not be prejudicial to any future proceedings that may take place at the direction of the Disciplinary Committee.

Dr John A Lowe BSc., PhD, Non-Executive Director of Dodson and Horrell, a major feed manufacturer, and Adrian Smith, area stipendiary steward, were in attendance.

The Committee heard that the five greyhounds in question had tested positive for hyoscine and atropine between December 2011 and February 2012.

The Committee noted the 'Statement of Opinion' from the former Drug and Medication Advisory Panel, in which hyoscine was described as a hypnotic agent that depresses the central nervous system causing drowsiness. It is used in humans for motion sickness. It was further noted that hyoscine was analytically distinct from hyoscine butylbromide that was found in products such as Buscopan, which had a veterinary license and was used to treat gastrointestinal disturbances in animals. Atropine was

described as a tropane alkaloid that can increase heart rate and stimulate the central nervous system and had a number of other clinical effects.

The Committee received written evidence that three of the greyhounds (CALLURA TWITTER, BALLYRIDGE BOUND and KILLILA ALICESON) had been fed with products originally supplied by Dodson and Horrell. One of the products identified had been sold to trainers through a third party retailer under the retailer's own name, JS Feeds. The other two greyhounds (BALLYMOREFIN ANN and LANDOWN LENNY) had been fed products originating from different manufacturers. The Committee was advised by Dr Higgins that the urine samples taken from the five greyhounds displayed similar analytical properties, were consistent with feed contamination with specific plant material. In his opinion, it would be very unlikely for the two detected substances, atropine and hyoscyne, to be given in combination with the intent to influence a greyhound's performance.

The Committee received a written statement from Dr John A Lowe who advised that Dodson and Horrell operate under a rigorous quality assured manufacturing process for the production of feed for horses and other animals, including competition animals. He stated that the method adopts both supplier assurance schemes, incoming feed ingredient and finished product checks. The Committee was advised that, as a consequence, the risk of naturally occurring prohibited substances being found in a finished feed is kept to a manageable and commercially practical minimum. However, in the opinion of Dr Lowe no risk can ever be completely eliminated.

Dr Lowe advised that two of the cases in question had been traced to a batch of imported maize which was supplied under the accredited code and had, in the past, given no reason for cause for concern. A third case also originated from a Dodson and Horrell product, which gave rise to the likelihood that the positive sample arose from the same source ingredient. He added that, following the reported contamination of the feed, further tests had been carried out which subsequently revealed that this material had a non-homogenous contamination with *Datura* seed, and Dr Lowe had concluded that this was the likely cause of the cluster of positive samples, and in his view had probably been restricted to a particular batch. The Committee was advised that this source of maize had been removed from the supply chain and Dr Lowe said that he was confident, as far as is practically possible, that current batches of feed for racing greyhounds do not contain naturally occurring prohibited substances.

The Committee noted that it was plausible that the other two positive samples had originated from the same contamination of raw ingredients processed elsewhere, given the similarity of the sample results and the relatively short period of time between the samples being taken.

The Committee received a written statement from Dr Higgins (Independent Doping and Medication Adviser), advising that in his opinion, and consistent with the view of Dr Lowe, that the most likely source of these two prohibited substances was feed contamination with plant material, possibly *Datura* species.

After considering the evidence, including the expert advice provided by Dr Lowe and Dr Higgins, the Committee concluded on the balance of probabilities, that feed contamination was the most likely explanation for all five positive samples.

The five trainers Messrs Sheldon, Ward, Ogden, Young, and Mrs Houfton, were found in breach of rule 174(i)(b) in their absence, as strict liability applies where the trainer has in his/her charge a greyhound

which shows the presence of a prohibited substance in a sample. However, the Committee was satisfied that the substances were not administered intentionally and ordered that no further action be taken. Any previous breaches of the rules were not taken into account on this occasion.

In view of the findings of these cases, the Committee ordered that, under Rule 163, the Director of Regulation should review all previous cases involving combined positive samples for hyoscine and atropine to establish whether the circumstances of those cases warrant a review in ensuring a just outcome.

The Committee wished to record with thanks the co-operation given by Dodson and Horrell in assisting with establishing the source of the hyoscine and atropine in these cases, and the steps they had taken to reduce the risk of contamination in the future.

2. **PROFESSIONAL TRAINER MR JG REID**

Professional Trainer Mr John Reid was found in breach of rules 49(iv), 152(i) and (ii), 174(v) and 216, having sent text messages indicating that, as the licensed trainer of GURTNACREHY LUCA, he had not used his best endeavours to ensure the satisfactory performance of the greyhound on occasions between August 2010 and November 2010. Mr Reid was also found in breach of rule 57 in that he had failed to report GURTNACREHY LUCA in season when he believed this to be the case on 28 May 2011.

Mr Reid was in attendance. Adrian Smith, area stipendiary steward, and Clive Carr and Jim Snowden, investigating officers, were also in attendance, together with Paul Miller, racing manager, and Robbie Steward, assistant racing manager, from Peterborough Stadium. Registered owner Matthew Condon was also present.

The Committee received written evidence from Mr Condon, registered owner of GURTNACREHY LUCA, including print-out of a number of text messages received from Mr Reid, who was in the habit of texting Mr Condon on issues relating to his greyhound. The Committee's attention was specifically drawn to three text messages sent by Mr Reid to Mr Condon, between 9 August 2010 and 13 November 2010, which clearly stated that Mr Reid had deliberately prevented the greyhound from performing on its merits, or was prepared to do so. A fourth message on 28 May 2011 indicated that the bitch had come into season.

Mr Condon stated in his written evidence that he never asks the trainer of his greyhound to do anything to affect its performance, but as an owner likes to know how the dogs that he owns are going to run and what chance they have.

In his written and oral evidence Mr Reid admitted to sending the text messages and gave his reasons for doing so, which cast aspersions on Mr Condon's character and which were disputed by Mr Condon. Mr Reid stated that he had not done anything to affect the performance of the greyhound. In response to a question from the Committee Mr Reid indicated that he was not under duress when sending the messages, but was in financial difficulty during that period.

The Committee considered the performance of the greyhound GURTNACREHY LUCA in its trials on 11 November 2010 and 18 November 2010 but found insufficient evidence to indicate that the performance of the greyhound in those trials was unsatisfactory.

The Committee noted that Mr Reid's Greyhound Treatment Book did not record that GURTNACREHY LUCA had received an oestrus suppressant.

Having considered the circumstances of the case the Disciplinary Committee found Mr Reid in breach of the rules, having sent text messages stating in unequivocal terms that he had deliberately prevented GURTNACREHY LUCA from running on its merits, or was prepared to do so. The Committee considered that Mr Reid had not produced any evidence to support his case and had not provided a credible explanation for his actions in sending the text messages.

The rule breaches in this case were subject to the Penalty Guidelines, Appendix VI of the Rules of Racing. The purpose of a penalty issued by the Disciplinary Committee was to:

- a) protect the welfare of the greyhound
 - b) protect the integrity of greyhound racing
 - c) maintain public confidence in the greyhound industry
 - d) maintain proper standards of conduct of licensed persons
- or any combination of the above.

The Committee took into account the following mitigating factors:

- the character references provided by Mr Reid;
- Mr Reid's personal circumstances; and
- the lack of previous rule breaches by Mr Reid.

The Committee expressed serious concern for the impact of this case on the integrity of greyhound racing and told Mr Reid that he had brought the sport into disrepute. Taking into account the nature of the rule breaches, the Committee ordered that Mr Reid be warned off for an indefinite period. In view of Mr Reid's statement of mitigation no financial penalty was imposed.

3. LICENSED KENNELHAND MR S BEGLEY

Kennelhand Mr Sean Begley was found in breach of rules 152(i) and (ii) and 184B(ii) of the GBGB rules of racing in that that he had layed bets on eight greyhounds under his care as a licensed kennelhand on diverse dates between 10 June 2011 and 28 October 2011.

Mr Begley was in attendance. Simon Cullis from the Betfair Organisation and Jim Snowden, investigating officer, were also present. Gary Baiden, racing manager at Oxford Stadium, and Colin Betteridge, area stipendiary steward, apologised for their non-attendance.

Jim Snowden gave evidence that, under the terms of the Memorandum of Understanding (MoU) between the Betting Exchange "Betfair" and the GBGB, the details of a number of Betfair accounts had been analysed as part of an earlier investigation. This led to Betfair identifying accounts as having links to that investigation, with evidence of computer sharing, and subsequently revealed that Mr Begley had layed eight greyhounds under his care as a licensed kennelhand, for sums ranging from £22 to £264. These bets were made while Mr Begley was licensed as a kennelhand to Professional Trainers Mr M Peterson, between 20 May 2011 to 01 August 2011, and Mr P Clarke between 02 August 2011 and the present date.

In answer to a question from the Committee Mr Donnelly confirmed that Rule 184B prohibits the laying of greyhounds without reference to other wagers.

Mr Begley admitted in his statement that he had layed the eight greyhounds in question, and indicated that the information in his Betfair account was correct. He stated that he was not aware that it was against the rules of racing to lay greyhounds as described in Rule 184B(ii), and that he had stopped laying greyhounds when made aware of the rule when attending a local enquiry into a separate case.

In his written and oral evidence Mr Begley indicated that he had backed all eight greyhounds to win, including with bookmaking firms, and that he attempted to lay them off at a shorter price on Betfair. An analysis of Mr Begley's Betfair account for two of the races in question showed back and lay bets, while six of the eight races showed only lay bets. The Committee did not have access to Mr Begley's other betting accounts.

Mr Begley produced a supplementary statement on the day of the Hearing in which, amongst other things, he expressed concern about aspects of the investigation and the way that the case had been handled. The Disciplinary Committee examined the issues that Mr Begley raised and were content that the correct procedures had been followed.

The Committee found that these were serious breaches of the rules of racing, and that ignorance of the rules was not a credible defence, particularly as a specific notice to all licence holders regarding the laying of greyhounds had been included in the Calendar in July 2010. The Committee regards the laying of dogs in the charge of a licensed kennelhand very seriously as it could undermine public confidence in the integrity and good reputation of greyhound racing. The Committee took into account the fact that Mr Begley admitted the breaches and that there were no other breaches recorded against him.

Having considered the circumstances of the case the Committee ordered that Mr Begley be made a disqualified person for one year and fined the sum of £500.