



Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 22 March 2012:

Mr J Akerman (in the chair)
Mr R Coughlan
Mr R Woodworth
Dr AJ Higgins*

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

1. Sittingbourne Stadium – Professional Trainer Mr J Coleman

Professional Trainer John Coleman was found in breach of rules 152(i), 174(i)(b), 214, 217 and 218 in that a pre-race urine sample taken from the greyhound **PENNYS OPTION** at Sittingbourne Stadium on 16 October 2011 was analysed by LGC Ltd. as containing the presence of flunixin.

Professional Trainer John Coleman was also found in breach of rules 152(i), 174(i)(b), 214, 217 and 218 in that a pre-race urine sample taken from the greyhound **SONARA** at Sittingbourne Stadium on 22 October 2011 was analysed by LGC Ltd. as containing the presence of flunixin.

PENNYS OPTION won the open race by $3\frac{1}{2}$ lengths in a time of 40.20secs. Both the Racing Manager (who was on holiday at the time), and the Assistant Racing Manager stated that, in their opinions, the run by PENNYS OPTION was acceptable. The opening betting show was 9/4 and the SP return was 7/4.

SONARA finished fourth in an A5 graded race, beaten by $3\frac{3}{4}$ lengths, having been bumped at the first bend. Her calculated time was consistent with previous races. Both the Racing Manager (who was on holiday at the time), and the Assistant Racing Manager stated that, in their opinions, the run by SONARA was acceptable. The opening betting show was 5/2 and the SP return was 3/1.

Mr Coleman was in attendance. Mr Jess Packer, racing manager of Sittingbourne Stadium, apologised for his non-attendance.

During the inquiry the Committee heard oral and written evidence from Mr Coleman, and written evidence from Mr J Packer (Racing Manager) and Mr A Clayson (Assistant Racing Manager) from Sittingbourne Greyhounds. Dr Higgins also provided oral evidence.

Mr Coleman was at a loss to explain how the presence of flunixin (a non-steroidal anti-inflammatory prescription only veterinary medicine licensed for use in horses and cattle but not dogs) could be accounted for in either PENNYS OPTION or SONARA. He stated that neither greyhound had been on medication at the time of the positive samples. Mr Coleman also stated that there had been no change to his staff or the routine at the kennels during the period in question. He suggested that the

likely source of the flunixin was through the food chain, and stated that he had used the same meat supplier for many years without concern.

At the Hearing Mr Coleman produced invoices from his meat supplier indicating that Category 2 meat had been purchased around the time of the positive samples. He also produced his kennel registration by the Animal Health and Veterinary Laboratories Agency (AHVLA) dated 10 October 2011, under the Animal By-Products Enforcement Regulations 2011, in which the use of Category 2 and Category 3 products (both unfit for human consumption) were authorised.

The Committee commented that it would have greatly assisted the inquiry if these documents had been supplied in advance of the Hearing in accordance with Rule 160(iv), as advised by the Director of Regulation, so that they could have been subjected to an appropriate level of scrutiny.

The Committee took evidence from Dr Higgins (Independent Doping and Medication Adviser) who stated that with current rigorous regulations concerning the operation of Defra-approved abattoirs it was possible, but in his view unlikely, that some of the meat from an animal which had been slaughtered in an approved manner might contain flunixin. Dr Higgins added that, whilst suitable precautions are required to be in place in meat plants to exclude the sale of contaminated Category 2 animal by-products, the possibility could not be excluded that they had been the source of the flunixin in these two cases.

Having considered the circumstances of the two cases the Committee was satisfied, on the balance of probabilities, that there was no deliberate administration of flunixin. However, Mr Coleman had knowingly taken the risk of feeding stained meat.

The Committee pointed out that rule 174(i)(b) imposes strict liability on the trainer. Mr Coleman had breached this rule as the pre-race urine samples taken from the greyhounds indicated the presence of the prohibited substance flunixin.

Determination of Penalty

Having found Mr J Coleman in breach of the rules of racing on two occasions, the Committee considered the penalty to be imposed under Appendix VI of the rules.

The Committee noted Mr Coleman's reluctance to change his greyhound feeding regime in order to reduce the risk of recurrence, based on his belief that the risk of contamination remained equally as high with Category 3 products.

The Committee took into account in mitigation Mr Coleman's unblemished record over a long period. The Committee also acknowledged that some uncertainty could have arisen from the complexity of the 2011 Animal By-Products Enforcement Regulations. However, the risk to Trainers in feeding stained meat that is unfit for human consumption is set out clearly in Rule 218.

Having considered the circumstances of the cases and the presence of a banned substance in the dogs' urine, the Committee ordered that Mr Coleman be cautioned and fined the sum of £250 for each positive sample, a total of £500.

The Committee pointed out that the imposition of a caution under the newly introduced Penalty Guidelines, Appendix VI of the Rules of Racing, should be considered to be of equal importance to

the imposition of a fine. Mr Coleman was advised that a further breach of the rules could lead to a more serious penalty.

2. Perry Barr Stadium – GNEEVES DIAMOND – Professional Trainer Mr M James

The Disciplinary Committee considered the circumstances of the greyhound GNEEVES DIAMOND producing a positive post-race sample at Perry Barr Stadium on 14 January 2012. The sample had been analysed by LGC Ltd. as containing the presence of carprofen.

The case was brought before the Disciplinary Committee under Rule 8.5.6 (Appendix VI)...“all cases of positive samples will be forwarded to the DoR [Director of Regulation] for determination before the Disciplinary Committee”.

The Committee received written evidence from Professional Trainer Michael James, who had been advised that his attendance at the inquiry was not required given the unusual circumstances of this case.

GNEEVES DIAMOND was making its debut at Perry Barr Stadium and finished lame. No time was recorded.

The Committee heard that, at the local enquiry, Mr James stated that GNEEVES DIAMOND had not been on medication prior to the race under review, and that he considered the positive sample to have arisen from a post-race injection administered by the track veterinary surgeon.

In his statement Mr James indicated that GNEEVES DIAMOND was injected immediately after the race which was run at 7.38pm. The Committee received a statement from Veterinary Surgeon Mr A Pretorius MRCVS, which confirmed that he had treated GNEEVES DIAMOND at approximately 7.45pm with an injection of Carprieve (containing the non-steroidal anti-inflammatory drug carprofen), to alleviate pain.

The official sampling form indicated that the sample was taken at 9.27pm. Mr James stated that his kennelhand was present when the urine sample was taken, but was unaware at the time that an injection had been administered to the greyhound after the race.

Having considered the circumstances of the case the Committee was satisfied that the positive sample was caused by the pain alleviating injection administered by the veterinary surgeon after the race. The Committee ordered that no further action be taken, with no blame attached to Mr James.