

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 24 April 2012:

Mr K Salmon (in the chair)

Mr J Akerman

Dr E Houghton

Dr AJ Higgins*

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

1. KENNELHAND APPLICATION – MR N PRIOR

The Disciplinary Committee heard an application from former Kennelhand Mr Neil Prior who had his licence withdrawn by the Stewards of the NGRC at a disciplinary hearing held on 19 October 2006. Mr Prior had been found in breach of rules 49(iv), 152(i) & (ii), 174(i)(b), and 217 in that at Kinsley Stadium on 13 June 2006 the greyhound LICKFINN TOMMY had a urine sample taken, when analysed contained the drug cyclizine. Mr Prior was in charge of the greyhound at that time.

The Disciplinary Committee heard evidence from the Director of Regulation concerning the background to the case and received an apology from Mr Prior that due to work commitments he was not in a position to attend. Having heard the application and a supporting reference the Disciplinary Committee decided to grant Mr Prior a conditional licence for one year.

2. *MONMORE GREEN STADIUM – KILKENNY OLE - Professional Trainer Mrs P Cowdrill

Professional Trainer Mrs Patricia Cowdrill was found in breach of rules 174 (i)(b) and 217 in that a urine sample taken from the greyhound KILKENNY OLE at Monmore Green Stadium on 29 December 2011 was analysed by LGC Ltd. as containing the presence of norethisterone.

Mrs Cowdrill was in attendance and accompanied by head kennelhand Mr Peter Richards. Area stipendiary steward Mr Jack Robinson was also in attendance. The deputy racing manager Mr Antony Williamson apologised for his non attendance.

Mrs Cowdrill gave the same explanation to the Disciplinary Committee as she had given to the local inquiry, namely that KILKEENY OLE must have eaten a norethisterone tablet which had been given to his kennel mate as an oestrus suppressant.

The Committee also took evidence from Dr Higgins (Independent Doping and Medication Adviser) who confirmed that norethisterone is permitted, on veterinary prescription, for the suppression of oestrus in bitches.

The Disciplinary Committee, having considered the explanation together with the circumstances of the case, found Mrs Cowdrill in breach of rules 174 (i)(b) and 217 and ordered that she be cautioned and fined the sum of £250.

In imposing the penalty the Disciplinary Committee took the following matters into account:

1. *There was no risk to the welfare of the greyhound.*
2. *Mrs Cowdrill appreciates that her greyhound feeding system failed on this occasion.*
3. *This was an isolated incident.*
4. *Mrs Cowdrill expressed regret for what has happened.*
5. *Mrs Cowdrill assured the Committee that she has changed her feeding system to ensure this does not happen again.*

Nevertheless, the Committee noted that in 2004 Mrs Cowdrill gave a similar explanation for breaches and on that occasion had given an assurance that she had changed her greyhound feeding regime for the administration of medicaments to greyhounds in her care.

3. *NEWCASTLE STADIUM – RALLY ON KATIE - Professional Trainer Mr D Spraggon

Professional Trainer Mr David Spraggon was found in breach of rule 174 (i)(b) in that a urine sample taken from the greyhound RALLY ON KATIE at Newcastle Stadium on 6 March 2012 was analysed by LGC Ltd. as containing the presence of oxazepam, temazepam and amphetamine.

Mr Spraggon was in attendance. Operations manager Mr Ian Walton and authorised representative Mr Joe O'Donnell of Newcastle Stadium and area stipendiary steward Mr Alex McTaggart were also in attendance. The racing manager Mr Iain Hillis apologised for his non-attendance.

Mr Spraggon gave evidence to the Disciplinary Committee. He stated that he had not administered these drugs to RALLY ON KATIE and that he had complete confidence in his kennel staff. He called into question the kennel security at Newcastle Stadium. He was

particularly concerned that at that time the CCTV cameras had no recording facility and that there were only two paddock stewards on duty so it was possible that the kennel blocks were sometime left unlocked. (Both these matters have now been rectified by the Newcastle Stadium management as part of a general tightening of kennel security.)

The Committee also took evidence from Dr Higgins (Independent Doping and Medication Adviser) who stated that oxazepam and temazepam, are benzodiazepines used for their sedative and anxiety-relieving effects, whereas amphetamine is a Class B drug that stimulates the central nervous system. Both benzodiazepines and amphetamines are drugs of abuse in humans and are sometimes taken in tandem within a period of a few hours. Dr Higgins said that in his opinion it would be an unlikely combination of drugs to give to a greyhound deliberately to modify performance, and human contamination might be one plausible explanation for the present finding.

The Disciplinary Committee, having considered the explanation together with the circumstances of the case, found Mr Spraggon in breach of rule 174 (i)(b) and ordered that no further action be taken.

In determining the case the Disciplinary Committee took the following matters into account.

1. *The Committee is satisfied on the balance of probability that Mr Spraggon did not administer these drugs. We note that the combination of the drugs present in the positive sample is highly unusual in the context of greyhound racing and the dog's performance appeared to be unaffected.*
2. *The Committee noted the concerns that have been raised regarding security at Newcastle and the possible train of events leading to this positive sample put forward by Mr Spraggon, but we are not able to say how this dog came to test positive.*
3. *The Committee also commend the racecourse executive on their prompt action in further tightening security within the kennel and paddock areas.*
4. *The Committee remains very concerned that the offer of gloves was declined during the sampling procedure which cast further uncertainty on the possible cause of the positive sample. **The Committee strongly urges** all persons involved to wear gloves when samples are being taken.*
5. *In determining the case the Committee took into account Mr Spraggon's unblemished record and the comments in support of Mr Spraggon made by Mr O'Donnell of the Newcastle racecourse executive.*

4. FORMER PROFESSIONAL TRAINER MR D HEARD

Former Professional Trainer Mr Douglas Heard was found in breach of rules 2 and 152 (i) and/or (ii) into his appearance at Exeter Magistrates Court on 16 March 2012 having pleaded guilty to three charges in breach of the Animal Welfare Act 2006 and was sentenced to a

Community Service Order involving 140 hours unpaid work and to pay costs of £4,474.87 by 22 June 2012.

Mr Heard was in attendance. Area stipendiary steward Mr Colin Betteridge and investigating officer Mr Jim Snowden were also in attendance.

The Disciplinary Committee heard evidence from DEFRA investigating officer Mr Price who had reported these matters to the police and the RSPCA. He described seeing an Alsatian dog in a kennel which plainly had not been cleaned for some time. He also saw a lurcher puppy which in his view appeared ill, and six caged wild rabbits with no apparent access to food and water.

Mr Heard told the Disciplinary Committee that the Alsatian had been left unattended for twenty-four hours because he had been away and no one else could handle the dog. The rabbits had been caught the previous night for release on his land to repopulate the farm which had been affected by myxomatosis. The lurcher puppy had enteritis. He had been treating it himself with medication obtained from a friend.

GBGB investigating officer Mr Snowden gave evidence as to what had been said by the District Judge when sentencing Mr Heard. He regarded the offence concerning the Alsatian as the least serious and said that had that been the only offence the matter would not have come to court. He regarded the offence involving the rabbits as "short term neglect" and the offence concerning the lurcher puppy as "medium term neglect."

The Disciplinary Committee, having considered the explanation together with the circumstances of the case, found Mr Heard in breach of Rules 2 and 152 (i) and/or (ii) of the GBGB Rules of Racing. The committee ordered that Mr Heard's licence be withdrawn for a period of 6 months, suspended for 1 year from the date of the hearing (24 April 2012). Mr Heard was severely reprimanded and fined the sum of £1,500.

In dealing with the case the Disciplinary Committee made the following observations.

- 1. These are serious offences relating to animal welfare that jeopardise the reputation of greyhound racing, which causes the committee considerable concern.*
- 2. In mitigation the Committee took into account Mr Heard's guilty plea, the penalty and costs already imposed by the criminal courts, the references provided on his behalf and personal family commitments as outlined by his solicitor.*
- 3. The committee asked the Director of Regulation to arrange regular, frequent and rigorous inspections of Mr Heard's kennels.*