



Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 27 September 2012:-

Mr K Salmon (in the chair)

Mr J Akerman

Mr A Hunt

Dr AJ Higgins*

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

1. Licensed Kennelhand and Licensed Owner Mr TS Piercy

Kennelhand and Owner Tim Piercy was found in breach of rules 152(i) and (ii) and 184B (ii) and (iii) of the GBGB Rules of Racing in that that he had layed bets on greyhounds under his care as a licensed kennelhand and licensed owner on diverse dates between 26 September 2009 and 21 March 2012.

The GBGB Director of Regulation on behalf of GRB was represented by Counsel, Mr Louis Weston and his assistant Mr A Welsh.

Mr Piercy was in attendance. Simon Cullis and Russell Wallace from the Betfair Organisation were also present.

The Committee was advised 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.

The investigation subsequently revealed that on 33 occasions Mr Piercy had layed greyhounds under his care as a licensed kennelhand, for sums ranging from £0.04 to £581.96. Mr Piercy owned a number of these greyhounds, either solely or in partnership. These bets were made between 17 February 2011 and 4 February 2012, while Mr Piercy was licensed as a kennelhand to Professional Trainer Mr D Puddy.

Between 26 September 2009 and 9 December 2010 Mr Piercy had also layed two greyhounds that he owned or part owned with lays between £8.57 and £204.87.

Mr Piercy admitted in his statement that he had layed the greyhounds in question. He indicated that he was not aware at the time that it was against the Rules of racing for an owner to lay greyhounds as described in Rule 184B (iii).

In his written and oral evidence Mr Piercy indicated that in a number of the races in question he had 'traded' on Betfair and in addition to the lay bets had backed some of the greyhounds to win. He had

also placed win bets with bookmaking firms, and attempted to lay them off on Betfair. However, the Committee was satisfied that Rule 184B prohibits the laying of greyhounds without reference to other wagers however placed.

The Committee found that these were extremely serious breaches of the Rules of racing, and that ignorance of the rules was not a credible defence. On the balance of probabilities the Committee did not find Mr Piercy in breach of rule 174 (v). For the avoidance of doubt they found him in breach of rule 152 (ii) on the basis that by laying greyhounds as an owner and kennelhand Mr Piercy acted in a manner prejudicial to the good reputation of greyhound racing.

The Committee took into account Mr Piercy's apology and the references produced on his behalf. But for these mitigating factors the penalties imposed would have been much more severe.

The Committee noted that Mr Piercy is a well-known owner and has held a kennelhand licence. He had repeatedly laid greyhounds which he owned or were in the kennel to which he was attached. His attitude to the Rules of racing was found to be cavalier and unacceptable. The Committee concluded that the potential damage to the good reputation of greyhound racing was immense.

With Mr Piercy having been found in breach of the Rules of Racing, Mr Weston addressed the Disciplinary Committee on the costs of the hearing.

Having considered the circumstances of the case the Committee ordered that Mr Piercy be made a disqualified person for 18 months and fined the sum of £2,500. No order was made in relation to costs.

The Director of Regulation was requested to refer the wording of Rule 184 to the Rules Committee in order to clarify the definition of "employee" in Rule 184B (ii).

2. *Sunderland Stadium – HALCROW PHOENIX- Professional Trainer Miss W Miller

Professional Trainer Wendy Miller was found in breach of rules 174 (i) (b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound HALCROW PHOENIX at Sunderland Stadium on 24 May 2012 was analysed by LGC Health Sciences as containing the presence of amphetamine.

Miss Miller was in attendance accompanied by Keith Lowery, kennelhand. Clive Carr, investigating officer, and Eric Vose, area stipendiary steward, were also present along with Michael Patterson, racing manager of Sunderland Stadium. Joe O'Donnell, authorised representative of Sunderland Stadium apologised for his non-attendance.

HALCROW PHOENIX won the race in question by half a length in a calculated time of 28.46 secs after leading at the third bend. The racing manager stated that in his opinion the greyhound ran to form. No unusual betting patterns were reported.

The Disciplinary Committee took evidence from Dr Higgins Independent Doping & Medication Adviser who stated that amphetamine is a central nervous system stimulant the effect of which in humans is to increase alertness, energy and excitement. Known as 'speed' amphetamines are Class B schedule 2 drugs. There is no veterinary preparation of amphetamine with a marketing authorisation for dogs.

The Committee noted that the investigation into the positive sample had included a review of security arrangements and CCTV footage around the racing kennels on the day in question, analysis of feed types similar to that provided to HALCROW PHOENIX, and statements from Miss Miller and her staff.

However, no evidence or explanation had come to light to indicate how the prohibited substance had entered the greyhound's system.

The Committee took into account Miss Miller's previous record and the evidence that had been given as to her character. They also accepted that she appreciated the seriousness of this breach of the Rules involving a Class B drug. Whilst the Committee could not be satisfied on a balance of probability that Miss Miller administered amphetamine or had any knowledge of how amphetamine came to be administered or ingested, this greyhound was in her charge and the ultimate responsibility therefore was with her.

Having considered the circumstances of the case and the presence of a banned substance in the dog's urine, the Disciplinary Committee ordered that Miss Miller be reprimanded and fined £500.

3. ***Shawfield Stadium – MANILLA STAR – Professional Trainer Mr P Rutherford & Greyhound Trainer Mr I McLelland**

Greyhound Trainer Iain McLelland was found in breach of rules 174(i)(b) and 217 of the GBGB Rules of Racing in that a post-trial urine sample taken from the greyhound MANILLA STAR at Shawfield Stadium on 27 April 2012 was analysed by LGC Health Sciences as containing the presence of 19-norepiandrosterone and 19-noretiocholanolone, which are metabolites of nandrolone.

Mr Rutherford was in attendance along with Alex McTaggart, area stipendiary steward. Mr McLelland had given apologies for his non-attendance. Joe O'Donnell, authorised representative and Daniel Rankin, racing manager of Shawfield Stadium, apologised for their non-attendance.

The Committee noted the 'Statement of Opinion' from Dr Higgins, the GBGB's Independent Doping and Medication Adviser, in which nandrolone was described as a potent and widely abused anabolic steroid which may give anabolic activity for several weeks following a single injection. It is not licensed as an oestrus suppressant in the UK.

The Committee received evidence that a 'point of registration' sample taken from MANILLA STAR on 1 December 2011 had produced a negative result. This indicated that administration of nandrolone to the greyhound took place after the greyhound had arrived in the UK.

The Committee received evidence from Mr Rutherford that MANILLA STAR entered his kennel on 24 November 2011, that he did not suppress her season, and that she did not come into season up to the time that she left his kennel on 7 April 2012. MANILLA STAR was taken directly to Mr McLelland by its owner after its last race at Newcastle Stadium on 7 April 2012. The owner of the greyhound was known on a previous occasion to have been in possession of oestrus suppressants, stated in written evidence to be norethisterone.

The Committee heard that MANILLA STAR had won its last race at Newcastle Stadium on 7 April 2012. The racing manager was satisfied that the manner of victory and time recorded was in keeping with the greyhound's previous performances and did not give cause for concern.

The Committee considered this to be a highly unusual case. Mr McLelland was in breach of rule 174 (i)(b) which imposes strict liability in that the greyhound tested positive for nandrolone whilst in his charge. However, in view of the prolonged excretion time of the drug, there was a possibility that nandrolone had been administered before he took charge of the greyhound. The Committee could not therefore conclude on the balance of probability that he was responsible. Although nandrolone is a potent and widely used anabolic steroid the presence of which causes the Committee deep concern, in

the specific circumstances of this case the Committee ordered that Mr McLelland be cautioned for the breaches but took no further action.

The Committee heard that some greyhounds in Mr Rutherford's care had come into season between February 2012 and May 2012, but this information was missing from the racecards. The Committee considered the evidence and concluded that Mr Rutherford had breached the rule 57 on these occasions. However the Committee heard that Mr Rutherford had taken steps to prevent a recurrence and now emails reports of season details to the Newcastle racing office. In light of this the Committee ordered that no further action be taken.

4. ***Peterborough Stadium – LISTEN TO THIS – Professional Trainer Mr P Ward**

Professional Trainer Philip Ward was found in breach of rules 174 (i) (b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound LISTEN TO THIS at Peterborough Stadium on 24 May 2012 was analysed by LGC Health Sciences as containing 19-noretiocholanolone, which is a metabolite of nandrolone.

Mr Ward had apologised in advance for his non-attendance. Paul Miller, racing manager at Peterborough Stadium also apologised for his non-attendance. Adrian Smith, area stipendiary steward was present.

The Committee noted that the 'point of registration' sample, taken from LISTEN TO THIS on 8 May 2012 had subsequently been tested by LGC Health Sciences and had also identified the presence of 19-noretiocholanolone.

The Committee took evidence from Dr Higgins, the GBGB's Independent Doping and Medication Adviser, that nandrolone is available as an injectable, long-acting anabolic steroid that will give anabolic activity for several weeks following a single injection.

The Disciplinary Committee noted the written admission by Mr Dessie Kerrigan from Co. Derry, N. Ireland, a former trainer of LISTEN TO THIS, that he had administered Laurabolin (a proprietary product containing nandrolone) as an oestrus suppressant prior to the greyhound being transported to England and producing the 'point of registration' sample.

Although it appeared that nandrolone had been given to the dog before it was acquired by Mr Ward, it was plain from the papers that Mr Ward had made no enquiry whatsoever of the vendor nor had requested an elective test. The Committee was of the view that this elementary precaution was the very least a responsible trainer would have taken given the reportedly widespread use of Laurabolin in Ireland.

The Committee pointed out that the GBGB Rules of Racing impose strict liability on the trainer. Having considered the circumstances of the case and the presence of a banned anabolic steroid in the dog's urine, the Committee ordered that Mr Ward be cautioned and fined £500.