

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 15 October 2013:

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

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

1. Professional Trainer Mr D Ward

Professional Trainer David Ward was found in breach of rules 152(i) and (ii) and 174 (xi) of the GBGB Rules of Racing in that he was found to have caused or permitted three retired greyhounds in his care to have been treated in a manner that was likely to cause them unnecessary suffering.

Mr Ward was in attendance accompanied by Kevin Thulbourn. Also present were Adrian Smith, area stipendiary steward, Con Baker, authorised representative Peterborough Stadium, Debra Teo MRCVS and Amanda Ainsworth, Welfare and Operations Manager at the Retired Greyhound Trust (RGT).

On 21 August 2013 the GBGB received a letter from Peter Laurie, Chief Executive of the RGT, concerning the condition of three retired greyhounds received by the RGT Brentwood Branch on 18 July 2013. The greyhounds had been identified as ENCLOSED ORDER (age 9), CATUNDA MO (age 6) and CATUNDA GRACE (age 6). The Committee received evidence from Amanda Ainsworth, Welfare and Operations Manager at the RGT, that on arrival at the RGT kennels, all three dogs were treated with parasite control and required full vaccination course, neutering, dental and other treatment.

The Committee received evidence from Ms Teo, who is the veterinary surgeon for the RGT kennels that received the three greyhounds. Ms Teo provided a report on each of the three dogs following examination by her on 21 July 2013, indicating that they were all underweight and suffering from a range of health issues. Ms Teo stated specifically that all three greyhounds were in a very poor dental condition requiring extensive treatment for dental disease including the extraction of many teeth. Ms Teo stated that, in her opinion, some long term health issues, including kidney dysfunction, could have been caused by poor dental care. Ms Teo's evidence supported the view of RGT staff that the dogs had been presented to the RGT in a very poor physical condition.

In his written evidence Mr Ward stated that ENCLOSED ORDER and CATUNDA MO lived together in an outside kennel with access to a paddock. CATUNDA GRACE was kennelled with a racing dog in the main kennel block. Mr Ward stated that, in his opinion, some tooth decay is likely in a 9 year old

retired greyhound. He admitted that the greyhounds in the outside kennels did not receive the same attention as the racing greyhounds, but claimed that they were well fed.

In response to a question from the Committee, Ms Teo said that the rate of deterioration in dental health for greyhounds can be quicker than for other breeds, but can be arrested with proper care. In her opinion the issues with the three greyhounds in this case should have been noticed earlier to enable appropriate intervention and medical treatment.

The Committee noted the statement of Adrian Smith, in which he said that he had visited Mr Ward's kennels on 6 August 2013. At that visit he observed that the teeth of the older greyhounds had a build up of plaque. On that occasion Mr Smith provided Mr Ward with a GBGB leaflet about care of greyhounds' teeth and advised him that he needed to take more care of his dogs' teeth.

The Committee noted the results of a routine kennel inspection undertaken by a qualified veterinary surgeon on 23 August 2013, in which the general condition of the greyhounds in Mr Ward's care, and the arrangements for parasite control, were found to be of an acceptable standard.

In his written statement Mr Ward offered to make a contribution towards the veterinary costs incurred by the RGT in caring for the three greyhounds. In response to a question from the Committee Ms Ainsworth reported that these costs had amounted to £2,722 to date, and that at least one of the greyhounds would require ongoing lifetime treatment, which the RGT would continue to contribute to after the dog was rehomed.

Mr Ward stated that he had introduced measures to improve the dental health of the greyhounds in his care. The Committee was advised by Mr Smith that he had visited Mr Ward's kennels on 14 October 2013 and had observed some improvement in the condition of his greyhounds' teeth following these changes.

Having considered the circumstances of the case and the explanations provided, the Disciplinary Committee concluded that this had been a serious case of neglect by Mr Ward which had undoubtedly caused three retired greyhounds in his care unnecessary suffering. The Committee found Mr Ward in breach of the rules of racing and ordered that he be severely reprimanded and fined £3,500, including £2,700 representing a sum equivalent to the veterinary costs incurred to date by the RGT in caring for the three greyhounds.

The Committee advised Mr Ward that they had considered withdrawing his licence, but took into account his apology and the steps that he had already taken to improve the dental care of the greyhounds in his charge.

In imposing the penalty the Committee recognised that Mr Ward has previously rehomed greyhounds through the RGT without problems. The Committee also took into account the character references submitted by Mr Ward, and the supportive comments made by Con Baker.

The Committee requested the Director of Regulation to consider donating a proportion of the fine to the Retired Greyhound Trust, to support the Charity in meeting some of the veterinary costs incurred in caring for the three greyhounds involved in this case.

2. *Doncaster Stadium – TRICKYS BISCUIT – Greyhound Trainer Mr R Holt

Greyhound Trainer Robert Holt was found in breach of rules 174 (i)(b) and 214 of the GBGB Rules of Racing in that a urine sample taken from the greyhound TRICKYS BISCUIT at Doncaster Stadium on 13 July 2013 was analysed by LGC Health Sciences as containing the presence of flunixin.

Mr Holt had given his apologies for non-attendance, as had Michael Smith, racing manager of Doncaster Stadium. Eric Vose, area stipendiary steward, was present.

The Committee heard that, at the local inquiry held on 16 August 2013, Mr Holt had stated that prior to the positive sample being taken from TRICKYS BISCUIT the dog had received no medication. The trainer was satisfied with the security at his residential kennel.

In his written evidence Mr Smith, racing manager at Doncaster Stadium, stated that the greyhound ran to form in the race in question.

The Disciplinary Committee noted the opinion of Dr Higgins (Independent Doping and Medication Adviser) that flunixin is a non-steroidal anti-inflammatory drug used for anti-inflammation; analgesia/pain relief. It is a Prescription Only Medication (POM-V) and is not licensed for use in dogs. He said that in his opinion, flunixin in a racing greyhound's urine could arise from the administration of flunixin to a dog up to several days before racing; it could also arise from feeding meat from a horse or cow that had been treated with flunixin shortly before slaughter, or by accidental contamination.

The Committee noted the Calendar notice extract from 30 November 2012, in which greyhound trainers were provided with guidance regarding the feeding of red meat to racing greyhounds, in the context of previous positive sample test results for flunixin.

In his written evidence Mr Holt stated that TRICKYS BISCUIT had been rested at the end of March due to a wrist injury, and had been treated with liniment. He stated that no medication had been administered during the rest period.

Mr Holt offered the explanation that the positive sample had originated through the food chain. He stated that the meat that he uses to feed his greyhounds comes from the family business which holds a DEFRA (Animal Health) licence to process Category 3 animal by-products. However, he had not attended the inquiry and it had not therefore been possible to establish any steps he had taken as a greyhound trainer to prevent further rule breaches, in particular by ensuring that only Category 3 meat is fed to greyhounds in his care.

The Disciplinary Committee, having considered the circumstances of the case and the explanation provided, concluded that it was not possible to determine the source of the flunixin. However, the GBGB rules of racing impose strict liability on the trainer or registered sales agent and Mr Holt was found in breach of the rules.

In the absence of any assurance regarding his future conduct the Committee ordered that Mr Holt be cautioned and fined the sum of £400. In imposing the penalty the Committee took into account the character references submitted by Mr Holt, and his previously unblemished record.

3. *Newcastle Stadium – NIGHT TIME BOXER – Professional Trainer Mr D Spraggon

Professional Trainer David Spraggon 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 NIGHT TIME BOXER at Newcastle Stadium on 6 July 2013 was analysed by LGC Health Sciences as containing the presence of 6 α -hydroxy stanozolol, a metabolite of stanozolol.

Mr Spraggon was in attendance accompanied by Kelvin Lax. Alex McTaggart, area stipendiary steward, and Clive Carr, investigating officer, were also present together with Simon Biddle, Principal Scientist at LGC Health Sciences. Paul Twinn, deputy racing manager of Newcastle Stadium, apologised for his non-attendance.

The Disciplinary Committee noted the opinion of Dr Andrew Higgins (Independent Doping and Medication Adviser) that stanozolol is an androgenic anabolic steroid used as a derivative of testosterone. Inter alia it promotes build up of protein and increases erythropoietin production. Stanozolol has been widely abused as a performance enhancing drug and is banned from use in most human and animal sports competition. It is available as tablets for daily oral administration or as a longer acting aqueous suspension for injection.

The Committee heard that stanozolol may have a protracted excretion time and recent data had suggested that the metabolites may be detectable for an extended period following administration. Under rule 217 of the GBGB rules of racing it is the trainer's responsibility to ensure that a greyhound is free from any substance when taking part in a race or trial.

The Committee received evidence from an earlier inquiry held on 11 June 2013, regarding a positive sample from NIGHT TIME BOXER at Newcastle Stadium on 26 February 2013, which showed the presence of the same metabolite of stanozolol as the sample taken on 6 July 2013. The point of registration sample taken on 17 January 2013 had tested positive for the same metabolite.

The earlier inquiry heard that the greyhound NIGHT TIME BOXER was bought by Kelvin Lax from one Donal Brennan of Co. Carlow. Mr Lax asked Mr Spraggon's advice before buying the greyhound and was told he should enquire whether the greyhound had been injected with steroids, which he did and had been assured by Mr Brennan that the dog had not been given any improper substances. Mr Brennan had stated in a written note that he had only administered Dermacusal, a muscle rub that does not contain stanozolol.

The Disciplinary Committee had been satisfied on 11 June 2013, and on the balance of probabilities, had concluded that stanozolol had been administered in Ireland prior to Mr Lax buying the dog, and, having considered the evidence on 11 June 2013 the Disciplinary Committee ordered that Mr Spraggon be cautioned.

At this inquiry the Committee heard evidence from Clive Carr, GBGB Investigations Officer, that in August 2013, he spoke to Mr Brennan, the previous owner of NIGHT TIME BOXER. Mr Brennan

stated to Mr Carr that he had not administered stanozolol to the greyhound and emphasized the contents of a note produced for the earlier inquiry, that no other medication had been administered. Mr Brennan had been requested by Mr Carr to provide a formal statement to GBGB but had failed to do so.

Mr Brennan's account was at odds with an earlier statement by Mr Spraggon, in which he said that in a conversation between them, Mr Brennan had admitted to administering stanozolol to NIGHT TIME BOXER in Ireland prior to its sale to Mr Lax.

In his written evidence Mr Spraggon stated that he believed that NIGHT TIME BOXER had been running drug free since the earlier hearing, as the first positive sample had been taken at the point of registration, 170 days before the race sample taken on 6 July 2013.

The Committee was advised that NIGHT TIME BOXER had been taken off the racing strength until he provided a series of 'clean' samples, and that samples taken from NIGHT TIME BOXER on 19 August 2013, 3 September 2013, 24 September 2013 and 3 October 2013 all tested positive for the same stanozolol metabolite. The last sample was taken 258 days after the point of registration sample.

In response to a question from the Committee, Mr Biddle expressed the view that there was currently insufficient scientific data to be categorical regarding excretion times for stanozolol in greyhounds. The Committee noted that this left open the possibility that the continuing positive test results for NIGHT TIME BOXER were still arising from the same administration of the drug as that detected from the point of registration sample taken on 17 January 2013.

The Committee heard evidence from Mr Carr that he visited Mr Spraggon's property on 16 August 2013 and observed various veterinary and medical products, many of which had clearly being unused for a lengthy period of time. Simon Gower, GBGB Veterinary Director, had produced as part of his written evidence a detailed analysis of the items observed at Mr Spraggon's premises. Mr Gower stated that some of the products were unlicensed and some were not acceptable for the treatment of greyhounds. No steroids were identified during this review. Mr Spraggon stated that many of the items were historical and had been acquired from his veterinary surgeon to treat horses as well as dogs. He produced invoices in support of this. He said he had now disposed of the items.

Taking into consideration the circumstances of the case and the explanations provided, the Committee concluded that it had heard no evidence which caused it to believe that Mr Spraggon had administered stanozolol to NIGHT TIME BOXER. The Committee therefore continued to be satisfied, on the balance of probabilities, that stanozolol was administered to the greyhound in Ireland prior to Mr Lax buying the dog.

The rules of racing impose strict liability on the trainer, and the Disciplinary Committee found Mr Spraggon in breach of the rules in that he had in his charge a greyhound that tested positive for a banned substance. However in the circumstances of this case the Committee made no order.