

CALENDAR NOTICE (to be published 24 October 2014)

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 14 October 2014:-

Mr K Salmon (in the chair)

Mr J Akerman

Mr R Woodworth CBE

Mr H Starte (observing)

1. Wimbledon Stadium – KEREIGHT KING – International Trainer Mr P Curtin

International Trainer Patrick Curtin was found in breach of rules 152(i) and (ii), 174(i)(a) and 217 of the GBGB Rules of Racing in that urine samples taken from the greyhound KEREIGHT KING at Wimbledon Stadium on 12 April 2014 and 2 May 2014 were analysed by LGC Health Sciences as containing the presence of 6 α -hydroxystanozolol, a metabolite of stanozolol; and that he had administered or allowed to be administered a substance that could affect the performance and/or well being of the greyhound.

Mr Curtin was in attendance. Gary Matthews, racing manager of Wimbledon Stadium, Colin Betteridge, area stipendiary steward, and Professor Tim Morris, independent scientific adviser were also present.

The Committee received evidence from Professor Tim Morris that stanozolol is an anabolic steroid and is not available as a veterinary medicine in the Republic of Ireland. In the UK stanozolol is a Class C Controlled Drug with no veterinary licensed formulation. Professor Morris stated that stanozolol affects dogs as it does other animals and people, including building muscle. It may also have many serious side effects.

Professor Morris stated that, in his opinion, the 6 α -hydroxystanozolol found in the urine of KEREIGHT KING indicated an administration of stanozolol to the greyhound in the months previous to the collection of the urine samples on 12 April 2014 and 2 May 2014.

Mr Curtin is the trainer and part-owner of the greyhound KEREIGHT KING. The Committee received evidence that Mr Curtin was advised by telephone by Duncan Gibson, GBGB Manager of Welfare and Integrity, on 2 May 2014, that KEREIGHT KING had tested positive for metabolites of stanozolol on 12 April 2014. The greyhound was due to race in a first round heat of the Greyhound Derby on 2 May 2014. Mr Gibson advised Mr Curtin that stanozolol may have a protracted excretion rate and metabolites could be detected for an extended period of time following administration. Mr Gibson also advised Mr Curtin that, should he decide to race KEREIGHT KING that evening, the greyhound would be sampled again and may be subject to an additional inquiry should that sample test positive. Mr Curtin decided to run the greyhound which once again tested positive.

Initially Mr Curtin could provide no explanation for the positive test other than contaminated horsemeat. Having heard the evidence of Professor Tim Morris on the balance of probability we reject that as a possible explanation.

As part of the GBGB investigation Mr Curtin answered written questions put by the stipendiary steward Colin Betteridge. In his answer to question 8 'Did the greyhound leave your charge or control at any time leading up to the race or trial' Mr Curtin replied 'No'.

At the beginning of September 2014 Mr Curtin provided a letter, dated 1 September 2014 from a Mr Noel Sexton, of Mullagh, County Clare, Ireland, which stated that from 30 November 2013 until 4 January 2014 the greyhound was in his charge having been sent there by Mr Curtin to recover from a toe injury. The letter goes on to state: "During this period I administered three injections of stanozolol. I had been advised that this would help with recovery to the damaged foot".

Mr Curtin also produced a letter from Michael Murphy, an ICC Control Steward dated 1 September 2014, stating that he had visited Mr Sexton's kennel on 12 December 2013, and that KEREIGHT KING was boarding at this kennel. When he was asked to provide more detail, in a letter dated 28 September 2014 he gave a conflicting account, stating that he had met Mr Sexton on the roadside and stopped and asked directions and that Mr Sexton had told him that the dog he was walking was KEREIGHT KING.

Mr Curtin puts the above version of events forward as the true explanation of how the greyhound tested positive.

Mr Donnelly on behalf of GBGB asks us to reject that explanation as fabrication. He further asks us to conclude that the reason for that fabrication was to exonerate Mr Curtin from responsibility of administering stanozolol to the greyhound.

On the balance of probability we cannot accept Mr Curtin's account as true.

Firstly, we find the idea that Mr Curtin would entrust a dog of very high value to Mr Sexton inherently improbable.

Secondly, we find the idea that Mr Sexton would administer any injection to such a dog without reference to the trainer inherently improbable, particularly since Mr Curtin tells us he gave detailed instructions to Mr Sexton regarding the greyhound's diet.

Thirdly, we are concerned that Mr Curtin gave a much more detailed account in evidence today than that set out in Mr Sexton's letter. He stated that Mr Sexton obtained the stanozolol from a vet who was imprisoned for drugs offences and subsequently died. He also states that Mr Sexton did not know at the time he administered the injection that it contained stanozolol. We find it of concern, that, if true, these details were not included in Mr Sexton's written evidence.

Fourthly, we cannot accept that the discrepancies in Mr Murphy's evidence can be explained as a mistake. The two versions are wholly inconsistent one with the other. That being so, we cannot accept Mr Murphy's evidence as a correct account.

In all the circumstances, therefore, we reject this account. We are therefore driven to the conclusion on the balance of probabilities that Mr Curtin administered stanozolol himself or that it was administered with his knowledge.

It follows that we find that Mr Sexton did not administer stanozolol to KEREIGHT KING. The Committee acknowledged that the Director of Regulation initially asked the Committee to consider warning off Mr Sexton, but having heard the evidence rejected Mr Sexton's admission that he administered stanozolol and did not take any further action in relation to that admission

We would add that although we have heard oral evidence from Mr Curtin neither Mr Sexton nor Mr Murphy attended this inquiry, which we found unhelpful.

There were very serious breaches of the rules of racing. The Committee noted the evidence of Professor Tim Morris as to the effects of stanozolol which by its nature could affect the performance of a greyhound and prejudice the well being of a greyhound. As such the breaches affect the welfare of the greyhound and threaten the integrity of greyhound racing in such a way that public confidence may be undermined.

In all the circumstances the Committee ordered that Mr Curtin be severely reprimanded and fined £3,000. The disciplinary committee ordered that this penalty be accompanied by an advisory notice stating that any further serious breaches of the GBGB Rules of Racing may render Mr Curtin subject to an increased penalty which may include disqualification.

In imposing the penalty the Committee took into account a previous breach of the Rules of Racing by Mr Curtin following a positive test for stanozolol in a heat of the Wimbledon Greyhound Derby in May 2009.

2. Crayford Stadium – BARAN VICTORIA – Professional Trainer Mr S Gammon

Professional Trainer Steve Gammon 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 BARAN VICTORIA at Crayford Stadium on 17 April 2014 was analysed by LGC Health Sciences as containing the presence of atenolol.

Mr Gammon was in attendance. Daniel Rayment, racing manager of Crayford Stadium, Richard Brankley, authorised representative, Lorraine Sams, area stipendiary steward and Professor Tim Morris, independent scientific adviser were also present.

The Committee received evidence from Professor Tim Morris in which he stated that atenolol is not available as a veterinary medicine in the UK. It is a beta blocker for humans primarily used to treat high blood pressure by slowing the heart rate. Professor Morris stated that beta blockers are not an uncommon source of poisoning incidents in pet dogs. It is therefore a substance which, by its nature, could affect the performance and/or well being of a greyhound.

In his written evidence Daniel Rayment, racing manager of Crayford Stadium, stated that he considered the performance of BARAN VICTORIA in the race in question to be acceptable. The greyhound missed its break and was crowded twice. In Mr Rayment's opinion the greyhound recorded a good time taking these factors into account.

Professor Morris advised the Committee that the concentration of atenolol estimated by LGC (30-40ng/ml), and the presence of the metabolite hydroxyl atenolol with an analytical signal approximately 20 times less than atenolol, is consistent with studies where atenolol is administered to dogs. He considered that BARAN VICTORIA would have been exposed to a significant dose likely to have an effect and likely to have been administered 1-3 days previous to the collection of the sample.

In written evidence Mr Gammon stated that one of his employees was prescribed atenolol for a medical condition. Mr Gammon considered this employee to be trustworthy and that he would not administer atenolol deliberately. His tablets were kept in separate accommodation and he had not been seen taking his medication in the vicinity of the greyhounds or kennels. Professor Morris stated that, as the tablets produced in evidence are film coated, cross contamination from handling whole tablets is an unlikely explanation for the finding of atenolol in the urine of BARAN VICTORIA.

Mr Gammon could offer no explanation for how the banned substance came to be present in the greyhound's system. He stated that following the positive test result he had changed his kennel routine in case this was a possible source of contamination. However, the evidence of Professor Morris was clear in pointing to the administration of a dose of atenolol as opposed to accidental contamination.

Some of the GBGB Rules of Racing impose strict liability on the trainer. The Committee took into account the fact that there were no previous breaches recorded against Mr Gammon. He had attended this inquiry and advised the committee that he had made changes to his kennel routine since being notified of the positive sample. Having said that, atenolol is a drug which by its nature can affect the performance of a greyhound and prejudice its welfare. In all the circumstances the Committee ordered that Mr Gammon be reprimanded and fined £500.

3. Henlow Stadium – WESTMEAD ROBERTO – Professional Trainer Mr N Savva

Professional Trainer Nick Savva was found in breach of rules 152 (i) and (ii), 174 (i) (a), 216 and 217 (all admitted) of the GBGB Rules of Racing in that a urine sample taken from the greyhound WESTMEAD ROBERTO at Henlow Stadium on 16 February 2014 was analysed by LGC Health Sciences as containing the presence of carprofen.

Mr Savva was in attendance. Professor Tim Morris, independent scientific adviser and Lorraine Sams, area stipendiary steward, were also present. Paul Mellor, racing manager of Henlow Stadium, apologised for his non-attendance

The Committee received information from Simon Gower, GBGB Veterinary Director, that carprofen is a non-steroidal anti-inflammatory drug (NSAID) used in veterinary medicine. It is licensed as a Veterinary Prescription Only Medicine (POM-V) and is indicated for the reduction of inflammation and pain caused by musculo-skeletal disorders and degenerative joint disease. Carprofen may only be prescribed by a veterinary surgeon.

In his written evidence Professor Tim Morris stated that all NSAIDs have the potential to induce adverse reactions some of which can be life threatening. In his oral evidence Professor Morris stated that carprofen is relatively safe but significant side effects are still possible.

Professor Morris added in written evidence that carprofen could have an indirect effect on a greyhound's performance by mitigating adverse effects of any pain or inflammation. Professor Morris concluded that, in his opinion, carprofen as an NSAID is a substance which, by its nature, could affect the performance and/or well being of a greyhound.

Based on clinical studies and the level of carprofen estimated in the urine sample of WESTMEAD ROBERTO (18ng/ml) on 16 February 2014, Professor Morris concluded that, in his opinion, carprofen had been administered 24-48 hours previously, and that the greyhound had raced under the effect of a clinically effective dose.

The Committee noted that the 'Point of Registration' sample taken from WESTMEAD ROBERTO on 26 August 2013 had also tested positive for carprofen. In response to a question from the Committee Mr Savva stated that WESTMEAD ROBERTO had been administered carprofen on three separate occasions, but he was unable to recall the dates when carprofen was administered to the greyhound. There were no records in the Greyhound Treatment Book of the condition requiring treatment, or the dosage regime, as required by the GBGB Rules of Racing.

Mr Savva had provided written answers to questions put to him at the local inquiry in which he admitted that WESTMEAD ROBERTO had been administered carprofen, and that he uses the drug for a “therapeutic purpose”. He stated that he purchases all medications from his veterinary surgeon.

In response to a written request from the Director of Regulation for access to clinical notes from Mr Savva’s veterinary surgeon to assist the inquiry, Mr Savva stated that WESTMEAD ROBERTO has never been examined or scanned by a veterinary surgeon for any sickness or injuries.

Mr Savva admitted breaching the rules, that he had made a mistake, and stated that he no longer uses the drug.

The Committee acknowledged that Mr Savva had attended the inquiry and had admitted breaching the rules. However these were serious breaches of the rules of racing involving the administration of a drug which by its nature could affect the performance of a greyhound and prejudice its welfare. The failure to keep any record in his Greyhound Treatment Book is serious and significant and has hampered this inquiry. In all the circumstances the Committee ordered that Mr Savva be severely reprimanded and fined £1,000.