

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 21 January 2014:-

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 & Medication Adviser)

1. *Brighton Stadium – GLENVALE PADDY – Professional Trainer Ms N McEllistrim

Professional Trainer Norah McEllistrim 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 GLENVALE PADDY at Brighton Stadium on 13 September 2013 was analysed by LGC Health Sciences as containing the presence of cyclizine.

Ms McEllistrim was in attendance. Peter Miller, racing manager of Brighton Stadium, and Lorraine Sams, area stipendiary steward, were also in attendance

The Disciplinary Committee noted the opinion of Dr Andrew Higgins (Independent Doping and Medication Adviser) that cyclizine is a sedating antihistamine used in humans to treat, inter alia, nausea, vomiting, some balance disorders and motion sickness. It may cause drowsiness in greyhounds and could therefore affect the performance of a greyhound.

Ms McEllistrim could offer no explanation as to how this greyhound came to be positive for cyclizine. Having heard the evidence in this case the Disciplinary Committee was satisfied on the balance of probabilities that Ms McEllistrim did not deliberately administer cyclizine to the greyhound GLENVALE PADDY and made no finding in this regard. They found Ms McEllistrim to be a credible witness and noted the evidence of Peter Miller and Lorraine Sams regarding the high welfare standards at her kennel.

The rules of racing impose strict liability upon the trainer and therefore the breach is made out in this case. The Committee noted that the only previous breach recorded against Ms McEllistrim was in 2007 which concerned two morphine positives arising from finding bread containing poppy seeds. They also noted the comments in support of Ms McEllistrim from Peter Miller. In all the circumstances the Disciplinary Committee ordered that Ms McEllistrim be cautioned and fined £200.

2. *Poole Stadium – MAGLASS BLOSSOM – Professional Trainer Mr D Dodd

Professional Trainer David Dodd 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 MAGLASS BLOSSOM at Poole Stadium on 14 October 2013 was analysed by LGC Health Sciences as containing the presence of codeine.

Mr Dodd was in attendance as was Colin Betteridge, area stipendiary steward. Ian Sillence, racing manager of Poole Stadium, apologised for his non-attendance.

The Disciplinary Committee noted the opinion of Dr Higgins (Independent Doping and Medication Adviser) that codeine is a narcotic analgesic which is classified by the Veterinary Medicines Directorate as a Schedule 5 Controlled Drug. Its legal category is a NFA-VPS, which means that it may only be supplied by a veterinary surgeon, a pharmacist or a Suitably Qualified Person for non-food animals under conditions specified in the Veterinary Medicines Directorate. VMD had confirmed that there is one authorised veterinary medicine containing codeine authorised for use in dogs in the UK (Pardale V tablets). In the case of human medicines containing codeine being administered to animals, as these medicines are not authorised for veterinary purposes these products may only be administered under the prescribing cascade on the instruction of a veterinary surgeon after a clinical assessment of the animal concerned.

In this case Mr Dodd received the greyhound MAGLASS BLOSSOM into his kennel from Ireland on 2 October 2013. On 4 October 2013 a POR Sample was taken which, when analysed, revealed the presence of codeine at an estimated concentration of 7.5 ng/ml. On 14 October a pre-trial sample was taken which showed an estimated concentration of codeine of 25 ng/ml. Mr Dodd told the Committee that he could not say how codeine came to be in the greyhound's system but he vehemently denied administering codeine. The two possibilities he advanced were that codeine was administered in Ireland prior to purchase, or that codeine came from contaminated paper bedding which he obtains from his local doctor's surgery. But for the higher level of codeine in the pre-trial sample compared to the POR sample the Committee would have found that on a balance of probabilities codeine was administered in Ireland. In light of that difference the Committee did not make such a finding. However, they could not find on a balance of probability that Mr Dodd deliberately administered codeine.

They found Mr Dodd to be a credible witness and accepted his evidence that he did not administer codeine. They made no finding as to how codeine came into this greyhound's system; each of the explanations advanced by Mr Dodd, in the Committee's judgement, was a possibility although they thought it likelier that codeine was administered in Ireland than ingested from contaminated bedding. However, rule 174 (i) (b) imposes strict liability on the trainer and therefore the breach is made out in this case. The Committee noted that Mr Dodd had no relevant previous breaches of the rules of racing and had made enquiries of the Irish vendor and was assured that the greyhound was not on any medication. In all the circumstances the Disciplinary Committee ordered that Mr Dodd be cautioned and fined £200.

3. *Hall Green Stadium – FAST TRACK HOME – Former Professional Trainer Mr A Bodell

Former Professional Trainer Alan Bodell 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 FAST TRACK HOME at Hall Green Stadium on 23 September 2013 was analysed by LGC Health Sciences as containing the presence of morphine.

Mr Bodell apologised for his non-attendance as did Robert Coulthard, racing manager of Hall Green Stadium.

The Disciplinary Committee noted the opinion of Dr Andrew Higgins (Independent Doping and Medication Adviser) that morphine is a Class A drug under the Misuse of Drugs Act. HFL screening tests also indicated the possible (but unconfirmed) presence of very small amounts of codeine and oripavine, the presence of which could be consistent with the ingestion of poppy seeds.

On 23 September 2013 a pre-race urine sample was taken from the greyhound FAST TRACK HOME which tested positive for morphine. FAST TRACK HOME was one of Mr Bodell's final runners prior to his retirement on 7 October 2013. The only explanation he offered was that the dog must have ingested morphine from contaminated Red Mills feed. The Committee heard evidence from investigating officer, Clive Carr, regarding the extremely stringent quality control applied by the manufacturers of Red Mills and were satisfied that contaminated Red Mills feed was not the source of the morphine in this case. Mr Bodell had not attended this Inquiry and the Committee rejected his explanation of contaminated Red Mills feed. He had not given the Committee the opportunity to further investigate this matter with him, which hampered the Committee's ability to determine how morphine came to be present in this greyhound's urine.

In those circumstances the Disciplinary Committee could not say on a balance of probabilities that Mr Bodell deliberately administered morphine or allowed or caused morphine to be administered, but that remains a possibility. In any event, rule 174 (i) (b) imposes strict liability on the trainer and in those circumstances the breach is made out. The Committee took into account the fact that there were no relevant breaches recorded against Mr Bodell. Having said that they noted that Mr Bodell had done little to assist this Inquiry. They rejected the only explanation that he offered and he had not attended to give evidence. In all the circumstances the Disciplinary Committee ordered that Mr Bodell be reprimanded and fined £450.

4. Professional Trainer Mrs A McCarroll & Kennelhand Mr S McCarroll

Professional Trainer Ann McCarroll was found in breach of rules 152 (i) & (ii) and 216 of the GBGB Rules of Racing in that between February 2011 and June 2013 she failed to keep accurate records within the kennel book of the movement of greyhounds in her care or control namely; DUAIRI BUACHAILL, SUNRIDGE PHANTER, BENVISTA SALLY, OLD FORT TWISTER, DEEJAY WHO, SHELBOURNE CINDY, EFFERNOGUE SEMIE, DUKE, ROMANTIC MELODY and HONEST CLARA.

Kennelhand Stuart McCarroll was found in breach of rules 18 (ii), 18 (iii), 152 (i) & (ii) and 174 (xiv) (a) & (b) of the GBGB Rules of Racing in that (i) Between February 2011 and June 2013, as the registered owner of the greyhounds HONEST CLARA, ROMANTIC MELODY, DUKE, EFFERNOGUE SEMIE, DUAIRI BUACHAILL, SHELBOURNE CINDY, DEEJAY WHO, BENVISTA SALLY, OLD FORT TWISTER, SUNRIDGE PHANTER, he failed to supply information; and (ii) Between February 2011 and

June 2013 he failed to make acceptable arrangements for the retirement of his retired greyhounds namely; HONEST CLARA, SHELBOURNE CINDY, DEEJAY WHO, SUNRIDGE PHANTER, DUAIRI BUACHAILL.

Mrs McCarroll and her son Stuart McCarroll were in attendance. Clive Carr, investigating officer, Dave Levy, Registrar and Richard Beenham, Welfare Executive, were also in attendance. Paul Twinn, racing manager of Newcastle Stadium, apologised for his non-attendance.

In this case the GBGB alleged that Mrs McCarroll failed to keep accurate records in her kennel book in respect of ten greyhounds. All ten greyhounds had left her kennel for various reasons and there was no record of this in her kennel book. Mrs McCarroll relied upon her son Stuart McCarroll to keep the kennel books up-to-date and he admitted that he failed to do so, although supervision and control by his mother, whose primary responsibility it was, was entirely lacking. Stuart McCarroll also admitted breaching his duties as an owner in failing to notify the GBGB as and when ten of his greyhounds changed ownership or were euthanised, and in respect of five greyhounds failing to make acceptable arrangements for their retirement. (In the case of SUNRIDGE PHANTER, the Committee noted that acceptable arrangements were made, but not by Mr McCarroll). To their credit both Mrs McCarroll and Stuart McCarroll admitted all the alleged breaches at the earliest opportunity.

In both their cases the Committee felt these were very serious breaches. They had both acted in a manner prejudicial to the integrity, proper conduct and good reputation of greyhound racing by failing to keep proper records and supply information as required by the GBGB Rules of Racing. The Committee noted Mrs McCarroll's health problems and the evidence of investigating officer Clive Carr that there had been recent improvement at the kennels. Most of all, they noted that on 5 November 2013 the Disciplinary Committee heard a related Inquiry concerning Mrs McCarroll and imposed an indefinite withdrawal of licence suspended until 5 November 2015 and a fine of £500. In those circumstances the Disciplinary Committee ordered that Mrs McCarroll be severely reprimanded for the current breaches.

Regarding Mr McCarroll, the Committee was concerned that this was his second breach of rule 18 within three years. They reminded him of his responsibilities and noted his assurance that there will be no further breaches. In those circumstances the Disciplinary Committee ordered that Mr McCarroll's licence be withdrawn indefinitely, but that such licence withdrawal is suspended until 5 November 2015 and that he be fined £500.