

CALENDAR NOTICE (to be published 21 November 2014)

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 11 November 2014:-

Mr J Akerman (in the chair)

Mr R Coughlan

Mr H Starte

Mr M Elks (observing)

1. REGISTERED OWNERS MR A CHATTERS AND MRS JE DAVIES-CHATTERS – ANIMAL WELFARE

Registered Owner Andrew Chatters was found in breach of rules 2, 152(i) and (ii) and 174 (xi) of the GBGB Rules of Racing by virtue of offences under the Animal Welfare Act 2006. Under prosecutions brought by the RSPCA, Mr Chatters had been convicted on 15 November 2013 at Brighton Magistrates Court of six offences under the Act, five of which convictions had been upheld on appeal to the Crown Court. The Disciplinary Committee also decided to exercise its power under Rule 176. Registered owner Jodie Davis-Chatters was found in breach of rules 12(i) and (v) in that she registered two greyhounds in her maiden name in 2006 when the rules required her to register them in her true or married name.

Mr Chatters and Mrs Davis-Chatters did not attend the inquiry and made no representations. Clive Carr and Jim Snowden, investigating officers, were in attendance.

The Committee heard evidence from Jim Snowden that the charges and convictions had been for breaches of the Animal Welfare Act 2006 involving nine greyhounds that were proved to be the responsibility of Mr Chatters. Two of the greyhounds, Rutland Lilly and Jodies Boy, were registered in the name Jodie Elizabeth Davis, the maiden name of Mr Chatters's wife, also known as Mrs Jodie Davis-Chatters.

The Disciplinary Committee heard that Mr Chatters had been convicted on charges of neglect causing unnecessary suffering to nine greyhounds between March and September 2012. Three greyhounds had been caused extreme suffering from dental disease; four had been caused extreme suffering from neglected skin conditions. The gravity of the offences was reflected in the penalties upheld or imposed by the Crown Court, including Mr Chatters being disqualified for three years from dealing in or owning or keeping or participating in the keeping or transportation of any animals. He received concurrent sentences of up to 22 weeks imprisonment, each suspended for two years. He was ordered to carry out 180 hours of unpaid work and ordered to pay costs and a victim surcharge totalling £12,332. He was also ordered to pay a further £6,801 towards prosecution costs at the Appeal Hearing.

The Committee found Mr Chatters in breach of Rule 2 by virtue of these convictions and his proven failure to have full regard to greyhound welfare and to accept the provisions of the Animal Welfare Act 2006.

The Committee further found that by his conduct and convictions Mr Chatters was in breach of rules 152(i) and (j), having acted in a manner prejudicial to the integrity, proper conduct or good reputation of greyhound racing. In the light of his conviction on several counts of causing greyhounds in his care unnecessary suffering, the Committee also found Mr Chatters in breach of rule 174(xi).

The Disciplinary Committee considers any breach of the Animal Welfare Act to be a serious matter and noted that the offences in this case were considered sufficiently serious by the Court to warrant suspended custodial sentences. In the circumstances of the case, and to reflect the gravity of the offences, the Committee ordered that Mr Chatters be warned off indefinitely and fined £5,000.

Mrs Davis Chatters was found in breach of rules 12(i) and (v) in respect of the inaccurate registration of greyhounds in 2006. The Committee received no evidence that this action was intended to deceive, and ordered that Mrs Chatters be cautioned.

With regard to the GRB's application that the Committee exercise its power under rule 176, the Committee agreed that in the circumstances of this case it was justified in exercising that power, so that any greyhound registered in the name of Mrs Jodi Davis-Chatters or in the name of any other person who the Committee believes to be a relative or associate of Mr Chatters shall be disqualified and the GBGB will refuse registration of any greyhound in the name of Mrs Jodi Chatters-Davis or in the name of any other person who the Committee believes to be a relative or associate of Mr Chatters.

2. Crayford Stadium – FOYLE DEE – Professional Trainer Miss GL Davidson

Professional Trainer Gemma Davidson was found in breach of rules 152(i), 174(i)(b), 214 and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound FOYLE DEE at Crayford Stadium on 3 June 2014 was analysed by LGC Health Sciences as containing the presence of hydroxyphenylbutazone, a metabolite of phenylbutazone.

Miss Davidson was in attendance accompanied by registered owner Brian Kelly. Professor Tim Morris, independent scientific adviser, Richard Brankley, authorised representative and Daniel Rayment, racing manager of Crayford Stadium, were also present. Lorraine Sams, area stipendiary steward, was available by telephone.

In his written evidence Professor Morris stated that phenylbutazone is available as a prescription only veterinary medicine in dogs in the class of drugs described as Non-Steroidal Anti-inflammatory Drugs (NSAIDs). NSAIDs relieve pain, reduce fever and reduce inflammation.

Professor Morris stated that phenylbutazone is banned from use in food producing animals due to the secondary risk of contaminated meat and, when eaten, the risk of blood disorders in humans. He also stated his opinion that phenylbutazone and hydroxyphenylbutazone, as NSAIDs, are substances which by their nature could affect the performance of a greyhound or could prejudice the well-being of a greyhound.

In her written evidence Miss Davidson stated that she had been feeding Category 2 meat to her greyhounds for about 10-15 years. Since being informed of the positive sample, she had changed to

Category 3 meat. The Committee noted the advice given to all Greyhound Trainers via the Calendar in November 2012, strongly recommending that racing greyhounds should only be fed Category 3 meat due to the high risk of drug residue contamination in Category 1 and 2 meat. Miss Davidson told the Committee she had been aware of this advice but had not followed it because she had never had a problem with a greyhound testing positive from contaminated feed.

Professor Morris stated in written evidence that Category 2 meat may contain drug residues such as phenylbutazone and its metabolite hydroxyphenylbutazone, after prescription by a Veterinary Surgeon for treatment of horses. In the light of the expert advice, the Committee accepted that the most likely source of the substance was through the feeding of contaminated Category 2 meat, and that phenylbutazone had not been deliberately administered to FOYLE DEE.

Miss Davidson was found in breach of rule 152(i) as she had failed to take action to ensure that the greyhound FOYLE DEE was free from a banned substance, namely a metabolite of phenylbutazone. In finding this breach the Committee was concerned that Miss Davidson had ignored the GBGB 'Advice for Trainers on the Feeding of Red Meat' by continuing to feed high risk meat to racing greyhounds.

Miss Davidson was in breach of rule 174(i)(b) in that she had in her care a greyhound which tested positive for a substance, which, by its nature, could affect the performance of the greyhound or prejudice its well-being. She was also in breach of rule 214 in that the food given to FOYLE DEE was not free from a substance that might affect the greyhound's performance or prejudice its welfare.

The Committee did not find a breach of rule 217 as the evidence indicated that the positive sample came from contaminated meat or bones through Miss Davidson's normal greyhound feeding process at the time the sample was taken.

The Disciplinary Committee acknowledged the Manager of Welfare and Integrity's recommendations concerning the breaches and noted a previous breach of the rules of racing by Miss Davidson in 2008, also involving an NSAID. The Committee acknowledged that Miss Davidson had appeared at this inquiry and had advised the Committee that she no longer feeds Category 2 meat or bones. The Committee also noted the comments in support of Miss Davidson made by Messrs Brankley, Rayment and Kelly. In all the circumstances of the case the Committee ordered that Miss Davidson be reprimanded and fined £300.

3. Belle Vue Stadium – RHODEN FLICKER – Professional Trainer Mr A Heyes

Professional Trainer Andrew Heyes was found in breach of rules 152(i) and (ii), 174(i)(a) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound RHODEN FLICKER at Belle Vue Stadium on 27 July 2014 was analysed by LGC Health Sciences as containing tetramisole.

Mr Heyes was not in attendance. Professor Tim Morris, independent scientific adviser and Alex McTaggart, area stipendiary steward, were present. David Brayshaw, racing manager of Belle Vue Stadium, apologised for his non-attendance.

In his written evidence Professor Morris stated that tetramisole (known as levamisole) is available in veterinary medicine and is licensed in the UK for the control of parasitic intestinal worms in cattle and

sheep. It is not licensed in the UK for use in dogs. Professor Morris added that it is only legally possible for veterinary surgeons to prescribe the use of medicines not licensed for use in a particular species under certain conditions; this is known as the 'cascade'.

The Committee heard that the GBGB's publication 'A Trainer's Guide to Medication Control in Greyhounds' provides that wormers and insecticides licensed for use in dogs are classed as 'permitted treatments', and also advises Trainers that the purchase and holding of medicines from outside the UK is illegal, including those purchased from the internet. Professor Morris stated that levamisole would only be a 'permitted treatment', being used as a wormer, if it was prescribed by a veterinary surgeon under the cascade. Otherwise it would be regarded as a 'banned medicine'.

In his written evidence Mr Heyes stated that he had purchased worming tablets from the internet over a year before the positive test, and that following a misunderstanding with his kennelhand over the identity of a greyhound needing to be wormed, the medication was mistakenly administered to RHODEN FLICKER by his kennelhand the day before it was due to race.

Alex Mc Taggart was shown by Mr Heyes the worming tablets in a container marked 'Fido's Closazole' which Mr Heyes stated was the product purchased from the internet. Mr Heyes was unable to provide supporting evidence as to where he had bought the product. Professor Morris stated that Fido's Closazole is a worming product licensed for dogs in Australia but not the UK.

In response to a question from the Committee, Professor Morris stated that tetramisole sourced from outside the UK could carry side effects which affect the welfare of the greyhound. Additionally, substances sourced from the internet represent a heightened risk to greyhound welfare because of the risk that they are counterfeit or out of date.

The Disciplinary Committee found that Mr Heyes had breached rules 152(i) and (ii) by administering to the greyhound RHODEN FLICKER a banned medicine which is not licensed in the UK for use in dogs and which he had sourced from the internet without a veterinary prescription. He had thereby acted in a manner prejudicial to the integrity and proper conduct of greyhound racing as regulated by GBGB.

Mr Heyes was also found in breach of rule 174(i)(a) in that he had admitted to administering a substance which by its nature could prejudice the well-being of a greyhound. He was also in breach of rule 217 in that RHODEN FLICKER was not free at the time of racing of a substance that could affect its well-being.

The Disciplinary Committee acknowledged the Manager of Welfare and Integrity's recommendations concerning the breaches and accepted the expert advice that the administration of this medication sourced via the internet could carry a heightened risk to the welfare of the greyhound. The Committee was disappointed that Mr Heyes had not attended the inquiry to answer the Committee's questions but noted his good record.

Having considered the explanation provided and the circumstances of the case, the Disciplinary Committee ordered that Mr Heyes be reprimanded and fined £400.

4. Harlow Stadium – RAHEENDAW KING – Professional Trainer Mr G Davies

Professional Trainer Glynn Davies was found in breach of rules 152(i), 174(i)(a) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound RAHEENDAW KING at Harlow Stadium on 27 June 2014 was analysed by LGC Health Sciences as containing tetramisole.

Mr Davies was in attendance. Professor Tim Morris, independent scientific adviser was also present. Lorraine Sams, area stipendiary steward, was available by telephone. Mark Schellenberg, racing manager of Harlow Stadium, apologised for his non- attendance.

In his written evidence Professor Morris stated that tetramisole (known as levamisole) is available in veterinary medicine and is licensed in the UK for the control of parasitic intestinal worms in cattle and sheep. It is not licensed in the UK for use in dogs. Professor Morris added that it is only legally possible for veterinary surgeons to prescribe the use of medicines not licensed for use in a particular species under certain conditions; this is known as the 'cascade'.

The Committee heard that the GBGB's publication 'A Trainer's Guide to Medication Control in Greyhounds' provides that wormers and insecticides licensed for use in dogs are classed as 'permitted treatments'. Professor Morris stated that levamisole would only be a 'permitted treatment', being used as a wormer, if it was prescribed by a veterinary surgeon under the cascade. Otherwise it would be regarded as a 'banned medicine'.

In response to a question from the Committee, Professor Morris stated that tetramisole could carry a risk to greyhound welfare if administered inappropriately and without veterinary supervision.

In his written evidence Mr Davies stated that, prior to the positive sample, RAHEENDAW KING had received no medication, and that he believed that the substance was in the Greyhound's system when it arrived at his kennel on 1 June 2014.

In her written evidence Mrs Pamela Cross, the previous trainer of RAHEENDAW KING, stated that the Greyhound did not receive any medication during the two months that it was in her care and that her greyhounds were wormed with 'Drontal Plus'.

Professor Morris stated his opinion in his written evidence that levamisole is rapidly excreted unchanged in the urine of dogs, and that he considered it very unlikely that the tetramisole found in the urine sample taken from RAHEENDAW KING on 27 June 2014 originated from an administration of tetramisole/levamisole on or before 1 June 2014.

The Committee noted Mr Davies' assertion that neither he nor his staff administered tetramisole and did not find that Mr Davies had deliberately administered or authorised the administration of the substance. The Committee made no finding as to how the substance came to be in the greyhound's system. However in the absence of any other credible explanation the Committee was driven to conclude, on the balance of probability, that Mr Davies had allowed or caused tetramisole to be administered to the greyhound RAHEENDAW KING after it entered his care. He had failed to take action to ensure that the greyhound was free from a banned substance which by its nature could affect its well-being and was accordingly found in breach of rules 152(i) and 174(i)(a).

Mr Davies was also found in breach of rule 217 in that RAHEENDAW KING was not free at the time of racing of a substance that could affect its well-being.

The Disciplinary Committee acknowledged the Manager of Welfare and Integrity's recommendation that the penalty should reflect the expert advice that the administration of this medication could carry a risk to the welfare of the greyhound. The Committee took into account that Mr Davies had attended the inquiry, his good record and that he evidently cared for the welfare of his greyhounds. In the circumstances of the case the Committee ordered that Mr Davies be reprimanded and fined £300.