

## **CALENDAR NOTICE (to be published 20 November 2015)**

### **Disciplinary Committee Inquiries**

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 10 November 2015:-

Mr M Elks (in the Chair)

Dr AJ Higgins

Mr R Coughlan

#### **1. Sittingbourne Stadium – HAIDONS A ROCKET – Professional Trainer Mr G Andreas**

Professional Trainer Mr G Andreas was found in breach of rules 152 (i) and (ii), 174 (i)(a), 216 and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound HAIDONS A ROCKET on 25 June 2015 was analysed by LGC Health Sciences as containing the non-steroidal anti-inflammatory drug meloxicam, a substance that could affect the performance or well-being of the greyhound.

Mr Andreas did not attend the Inquiry and was not represented. Present were Lorraine Sams, area stipendiary steward and Professor Tim Morris, independent scientific adviser. Andy ~~Clayton~~Clayson, racing manager of Sittingbourne Stadium apologised for his non-attendance.

Professor Morris gave evidence, which the committee accepted. He stated that meloxicam is available as a licensed veterinary prescription only medicine (POM). It is in the class of drugs described as non-steroidal anti-inflammatory drugs (NSAIDs) used to relieve pain, lower fever and reduce inflammation. It is available in tablet, liquid or injectable forms for use in dogs and other animals. It is a prescription only medicine. It is available from a number of companies and Metacam is one of the brand names of meloxicam. He stated that all NSAIDs have the potential to induce adverse reactions including vomiting and gastrointestinal ulceration, some of which can be life threatening. Although he knew of no studies showing that meloxicam would directly affect a greyhound's performance, it could have an indirect affect by alleviating symptoms and so mitigating adverse effects of pain or inflammation. In his opinion therefore meloxicam was a substance which by its nature could affect the performance or prejudice the well-being of a greyhound.

Mr Andreas stated at the local inquiry that he believed that the presence of meloxicam was caused by human error namely the mixing up of food bowls between HAIDONS A ROCKET and YASOO MARTIN, as the latter was being treated with Metacam (Meloxicam) from 20 June 2015. The trainer's treatment book contained an entry for YASOO MARTIN which referred to Metacam and stated that it had been prescribed by a veterinary surgeon. Later however he retracted that statement and explained that the mix up was with another greyhound's feeding bowl. His kennelhand Debbie Bowsher stated that that other greyhound, INSANE FEMALE, had been injured and had been taken by her not to the usual veterinary surgeon but to another one and that the treatment, including the prescription for Metacam, had been paid for by another person who had since died. Miss Sams gave evidence that she had contacted the veterinarian concerned who had confirmed that Metacam had indeed been prescribed for INSANE FEMALE, but in April 2013, and not at the time relevant to this inquiry.

The Committee was very concerned about the conflicting evidence provided by Mr Andreas. It concluded on the balance of probabilities that Mr Andreas had been administering to YASOO MARTIN

Metacam, quite possibly that prescribed for another greyhound, INSANE FEMALE in 2013, and that he had placed an incorrect entry in the treatment book to suggest to the Committee that Metacam had been prescribed for YASOO MARTIN.

The Committee condemns the practice of administering drugs prescribed for one dog to another and suggested that the Director of Regulation should draw to the attention of trainers the need to destroy unused POMs and not under any circumstances use them for other greyhounds in their care without veterinary supervision.

Professor Morris stated that the level of meloxicam estimated by LGC to be in the sample was at the limit of detection. He said that he considered that feed was an unlikely source of the meloxicam in this case. In his opinion, the amount of meloxicam in the urine of HAIDONS A ROCKET was compatible with cross-contamination from feeding a meal to HAIDONS A ROCKET intended for another dog, although he could not rule out deliberate administration.

The Committee considered on the balance of probabilities that administration of meloxicam to HAIDONS A ROCKET was inadvertent and not intended to affect its performance. It noted that the drug should not have been administered to YASOO MARTIN at all. The positive sample was caused by cross-contamination from feeding a meal intended for YASOO MARTIN to HAIDONS A ROCKET. The Committee accordingly found Mr Andreas in breach of:

1. Rule 174 (i)(a) in that he had administered or allowed or caused to be administered a banned substance, namely the prescription drug meloxicam, to HAIDONS A ROCKET which by its nature could affect the performance of a greyhound or prejudice its well-being.
2. Rule 216 in that he entered in his treatment book a reference to Metacam being prescribed to YASOO MARTIN, which he subsequently admitted was untrue and had thus failed to maintain the treatment book as required.
3. Rule 217 in that HAIDONS A ROCKET was not at the time of racing free from a substance, namely meloxicam which could affect its performance or prejudice its well-being.
4. Rules 152 (i) and (ii) in that he was wholly or partly responsible for actions as set out above expressly or impliedly forbidden by the GBGB Rules and in that he had acted in a manner prejudicial to the integrity proper conduct or good reputation of greyhound racing.

In all the circumstances the Committee ordered that Mr Andreas be severely reprimanded and fined £750. The Committee took into account that Mr Andreas had one previous breach, in 2013, of the Rules of Racing also involving the presence of a prescription drug. It also took into account that Mr Andreas had misled the Inquiry about the facts of the case and about the deliberate administration of Metacam to a greyhound for which it had not been prescribed.

## **2. Henlow Stadium – TRUE GOLD – Registered Sales Agent Mr J Kennedy**

Registered Sales Agent Mr J Kennedy 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 TRUE GOLD at the Irish Sales Trial meeting at Henlow Stadium on 11 May 2015 was analysed by LGC Health Sciences as

containing flunixin, a prescription only medicine (POM) not licensed for administration to dogs, which he administered or allowed or caused to be administered to TRUE GOLD. Flunixin is a substance which could affect the performance or prejudice well-being of a greyhound.

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

Miss Sams gave evidence that TRUE GOLD had run in a trial at Henlow on 11 May 2015. The greyhound would have been checked before and after the trial. Subsequently it went to Crayford where it trialed on 6 and 20 June. It won a further trial on 25 June, and then raced on 3 and 9 July. On 9 July the trainer considered it appeared sore and had been easing at the bends. The track veterinary surgeon suspected the greyhound had an old wrist injury. It was rested until 25 July when it raced and won. On 15 August it raced again and fell. Its wrist injury flared up and it was subsequently retired.

Professor Morris gave evidence both in his report and orally, which the committee accepted. He stated that flunixin is available as a licensed veterinary medicine (POM). It is available in a range of presentations from a number of different companies for use in horses, pigs or cattle.

Flunixin is in the class of drugs described as non-steroidal anti-inflammatory drugs (NSAIDs) used to relieve pain, lower fever and reduce inflammation. He stated that all NSAIDs have the potential to induce adverse reactions including vomiting and gastrointestinal ulceration, some of which can be life threatening. Although he knew of no studies showing that flunixin would directly affect a greyhound's performance, it could have an indirect affect by alleviating symptoms and so mitigating adverse effects of pain or inflammation. In his opinion therefore [meloxicam-flunixin](#) was a substance which by its nature could affect the performance or prejudice the well-being of a greyhound.

Professor Morris said that he had considered whether the source of the flunixin was knacker meat fed by Mr Kennedy to his dogs, as Mr Kennedy had suggested. He had been advised by LGC that the estimated level of flunixin in the urine was 1.5µg/ml. Based on research as to the levels of flunixin after meat was fed at determined field contaminant levels of 0.1mg/100µg per feed Professor Morris stated that the estimate from LGC would have to be incorrect by a factor of 100 for the flunixin level to have been derived from a meat source. He also drew attention to the fact that in his experience dogs do not eat large amounts of meat in the period leading up to a race and a large amount of meat would have to be consumed even to reach that level. He stated that levels of the drug would rise and fall more quickly if injected and that in his opinion the level present in the sample was consistent with an injection of the drug a few hours before the test. In his opinion the level of flunixin in the sample was not consistent with a food source and was most likely to have arisen from exposure to a therapeutic dose of flunixin.

He stated that the fact that flunixin was licensed for use in cattle horses and pigs but not dogs suggested that there may be a danger to any dog to which it was administered. He stated it used to be available as a prescription medicine for dogs but had not been so available for some time – probably at least 10 years.

Mr Kennedy gave evidence to the Committee. He denied he had administered flunixin to TRUE GOLD but could offer no other explanation for how the flunixin came to be present in the sample if it was

not as a result of the meat fed to TRUE GOLD. He said he fed TRUE GOLD in Ireland with a mixture of Category 2 and Category 3 meat. He stated that he was completely satisfied with security at the course and that the greyhound had never been out of his sight other than when it was locked up. He also stated that other dogs he had brought from Ireland to the same trial meeting were all fed the same meat as TRUE GOLD. None of them tested positive for flunixin. He stated that he had no anti-inflammatory drugs at his kennels which could have been inadvertently administered by a member of his staff. He stated that he had no other animals present at the same premises as his greyhounds.

After hearing the evidence the Committee noted that Professor Morris was not aware of any circumstances in which the use of flunixin in dogs would be justified. It is a prescription-only medicine licensed for use in cattle horses and pigs. It noted Professor Morris's evidence that the use of the drug in dogs would give rise to a danger of overdosing or toxicity.

The Committee concluded on the balance of probabilities that flunixin was present in the sample taken from TRUE GOLD on 11 May at a level which meant that its source could not have been meat fed to the greyhound. It concluded on the balance of probabilities that flunixin had been deliberately administered to affect the performance of TRUE GOLD. That administration was either by Mr Kennedy himself or by someone else whom he had allowed or caused to administer it.

The Committee accordingly found Mr Kennedy in breach of:

1. Rule 174 (i)(a) in that he had administered or allowed or caused to be administered a banned substance namely the prescription drug flunixin, to TRUE GOLD which by its nature could affect the performance of a greyhound or affect its well-being.
2. Rule 217 in that TRUE GOLD was not at the time of trialling free from a substance, namely flunixin which could affect its performance or well-being.
3. Rules 152 (i) and (ii) in that he was wholly or partly responsible for actions as set out above expressly or impliedly forbidden by the GBGB Rules and in that he had acted in a manner prejudicial to the integrity proper conduct or good reputation of greyhound racing.

The Committee took into account that Mr Kennedy had previously been found to be in breach of the GBGB Rules in 2012 and more recently in October 2015 and that both breaches involved the administration of substances which might affect the performance or well-being of a greyhound. The Committee did not take account of the advisory notice in October 2015 warning Mr Kennedy of the potentially serious consequences of any further breach of the Rules, as the facts of this case pre-date that notice. The Committee considered that the present case was a serious matter, involving the deliberate administration of a substance which might affect the performance or prejudice the well-being of a greyhound and which was not licensed for use in dogs. In the circumstances the Committee ordered that Mr Kennedy be disqualified for 3 months and pay a fine of £2000. Mr Kennedy was warned again of the potentially serious consequences of any further breach of the Rules.

### 3. Towcester Stadium – Greyhound trainer Mr M Ogden

Greyhound Trainer Mr M Ogden was found in breach of Rules 2, 18 (i), 152 (i) and (ii) and 174 (xi) of the GBGB Rules of Racing as a result of his treating the greyhounds in his care with cruelty and/or in a manner likely to cause them unnecessary suffering.

Mr Ogden did not appear at the Inquiry. In attendance were Lorraine Sams and Paula Clare, area stipendiary stewards, and Paul Illingworth, Senior Stipendiary Steward. Apologies were received from the racing manager at Towcester Stadium, Chris Page.

The Committee heard evidence from Miss Sams and Mrs Clare about their detailed investigations and findings. They attended 8 Rowlett Road, Corby, the premises at which Mr Ogden was licensed to keep 6 greyhounds on 8 May on a routine inspection, Miss Sams having recently taken over the role of area stipendiary steward for the relevant area. She was already concerned however having noted that Mr Ogden was only licensed to keep 6 greyhounds there and she was aware that he had more than that number running at a recent meeting at Towcester.

When they arrived at the premises the door was answered by a woman who stated that Mr Ogden was out and would be returning at 6pm. That seemed odd to Miss Sams as she was aware that he had dogs running at Towcester that evening and kennelling would have been at 4.55pm. Miss Sams and Mrs Clare went to the back of the property and knocked on the fence but there was no response and they were certain that there were no greyhounds there.

They returned at 2.45pm. Mr Ogden was standing outside the property. Miss Sams asked to look at the dogs. He said they were not at the premises and refused to say where they were. Having consulted Mr Illingworth, Miss Sams informed Mr Ogden that his licence would be suspended with immediate effect and that he would be required to give a statement, as would his kennelhand. He replied that he would not make a statement and that the matter was nothing to do with his staff. On being asked again where the dogs were, he said they were in Kettering.

Miss Sams telephoned Mr Ogden on 12 May 2015 to explain that she and Mrs Clare would need to visit 8 Rowlett Road to establish the welfare of his greyhounds. He told her they were kennelled at 17 James Watt Avenue, Corby, which was, he said, owned by him (and not in Kettering as he had stated previously). These are unlicensed premises. He said he had around 20 greyhounds there, and that some were in kennels, some in the house and some in cages. He said a number of the dogs were retired. Arrangements were made to visit these premises on 18 May 2015.

On 18 May 2015 Miss Sams and Mrs Clare attended at 17 James Watt Avenue. No-one answered the door when they arrived so they opened the letter box to look for signs of life. The smell of urine was very strong. The conditions in the kennels were unacceptable and did not meet GBGB standards. A substantial amount of wood had been used in their construction, they were smelly, had inadequate ventilation and natural lighting. The bedding area fell short of GBGB requirements, the paddock was not large enough and there was no separate dog kitchen or isolation kennel. The greyhounds only had water when they went outside. The dogs' coats were greasy and dull and although they did not seem underweight they looked far from healthy. The majority of them seemed scared of Mr Ogden and his kennelhand Mr Phoenix. In one of the dogs the bridges of ~~their~~ its noses ~~w~~ asere rubbed bald by constant muzzle wearing.

What they found in the house was, Miss Sams stated, terrible. They went through Mr Ogden's own kitchen which in her opinion was unacceptable for food preparation for dogs or humans. The living room contained a row of 9 MAG (magnetic therapy) boxes of different sizes and a [treatment boxcage](#). She advised that such boxes were intended to be used for the treatment of dogs for a maximum of about 30 minutes. There was also a small transport box. All but one had a fully-grown greyhound in it with paper bedding. There was a smell of urine. The dogs were clearly unhappy with no access to water and in her opinion they had clearly been in the boxes and cages for a lot longer than 30 minutes. Miss Sams estimated that they may well have been in the boxes and cages for around 6 weeks. None of the boxes gave sufficient room for the greyhounds to lie down comfortably and two of the dogs did not even have sufficient space to stand up. Miss Sams did not know what size the MAG boxes were but guessed that of the 3 sizes available, medium, large or extra-large, most were large; extra-large is the size recommended for greyhounds even for 30 minutes of treatment. The greyhounds in the house also had greasy, dull coats. Two of the dogs were underweight and the condition of one was particularly poor.

Miss Sams took a video of the house and kennels which was seen by the Committee, which showed the shocking conditions in which Mr Ogden kept the dogs. The 9 greyhounds in the house were all retired dogs and the 10 in the kennels were all with the exception of one racing dogs.

The same day Mr Ogden made a statement. In this, he said that about 6 weeks before he had been thrown out of his house in Rowlett Road by his wife and that he had had to move the dogs to 17 James Watt Avenue. He said he had been working to bring those premises up to GBGB standard but had had to move the dogs there before the work was finished. He said his thoughts were for the dogs. He also told Miss Sams that the retired greyhounds were kept in this way to avoid putting them to sleep and all but one of them belonged to him.

The following day [Miss Sams and](#) Mrs Clare met with Mary Ridgway of the RGT and a colleague of hers and they removed 9 retired dogs. They were examined on 28 May 2015 by a veterinary surgeon Simon Pudsey and 6 of them were found to have significant abnormalities. The veterinary report was circulated to the Committee.

A local Inquiry was conducted by Paul Illingworth on 2 July 2015. At that Inquiry Mr Ogden provided a further statement, which differed in some respects from that provided to Miss Sams on 18 May. On this occasion he stated that he had moved 2 greyhounds to 17 James Watt Avenue on or about 6 April. He said he had moved 7 more on 7 May after a domestic incident because he feared that his wife would in a fit of rage release the greyhounds from their kennels and let them roam free when he was not there. He removed the remainder the following day after his wife instructed him to do so. He accepted that dogs should not have been kept in the boxes but said he had acted in the best interests of the greyhounds' welfare. He denied that the house and kennels smelt of urine. He acknowledged that he had not sought the advice guidance and assistance of the GBGB as to the steps which could be taken following the domestic incident on 4 May and that he had made a mistake in not doing so.

The Committee considered all the evidence. It accepted the evidence of Miss Sams and Mrs Clare as to the conditions in which the greyhounds were kept by Mr Ogden, including the smell of urine in both the kennels and the house. It did not accept that Mr Ogden acted in the interests of the welfare of the greyhounds. The Committee takes a very serious view of any breaches of animal welfare and was appalled to hear and see the evidence of the way in which Mr Ogden treated the racing and retired

greyhounds in his care. It noted the inconsistencies in Mr Ogden's evidence and concluded on the balance of probabilities having regard to the evidence of Miss Sams and the findings of the veterinary surgeon on 28 May that many if not all the dogs had been at 27 James Watt Avenue for around 6 weeks as Mr Ogden's statement of 18 May suggests.

The Committee concluded that on the balance of probabilities Mr Ogden had treated the dogs in his care with cruelty and had caused them unnecessary suffering.

In the circumstances the Committee found Mr Ogden in breach of:

1. Rule 2 in that he did not have full regard to Greyhound welfare and did not notify the change of address to the GBGB within 28 days.
2. Rule 18 (i) in that he did not in relation to the greyhounds he owned take responsibility for their welfare or make acceptable arrangements for those that were retired.
3. Rule 174 (xi) in that he treated greyhounds in his care with cruelty and/or in such manner as was likely to cause them unnecessary suffering.
4. Rule 152 (i) and (ii) in that by his treatment of greyhounds set out above he was responsible for taking action expressly or impliedly forbidden by the Rules or for failing to action expressly or impliedly required by the Rules required by the Rules and acted in a manner prejudicial to integrity proper conduct and good reputation of greyhound racing.

The Committee regards the welfare of greyhounds as its paramount consideration. This was a very serious case and the maximum penalty is appropriate. The Committee therefore ordered that Mr Ogden be warned off indefinitely and that he be fined £5,000.

The Committee recommended that the Director of Regulation advise the local authority both of the outcome of the case and of the fact that there may be breaches of the Animal Welfare Act arising out of it, in particular in relation to any remaining greyhounds in Mr Ogden's care.

The Committee also wanted to put on record its appreciation of the thorough investigative work in distressing and difficult circumstances carried out by Miss Sams and Mrs Clare.