

CALENDAR NOTICE (to be published 6 May 2016)

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 19 April 2016:-

Mr K Salmon (in the chair)

Dr AJ Higgins

Mr M Elks

1. Kinsley Stadium – COLLATERALDAMAGE – Former Registered Sales Agent Mr T Tanner

Former registered sales agent Tom Tanner was found in breach of rules 152 (i) & (ii), 174 (i)(a) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound COLLATERALDAMAGE at Kinsley Stadium on 27 July 2015 was analysed by LGC Health Sciences as containing the presence of 6 α -hydroxystanozolol (a metabolite of stanozolol); and that he allowed a substance to be administered that could affect the performance and/or wellbeing of the greyhound.

Mr Tanner was in attendance. Andrew Mascarenhas, racing manager of Kinsley Stadium, apologised for his non-attendance. Professor Tim Morris, independent scientific adviser, and Peter Rosney, area stipendiary steward, were also present.

On 27 July 2015 COLLATERALDAMAGE, a greyhound owned by Mr Tanner, which he had brought to Kinsley Stadium to sell at auction, was sampled and the subsequent analysis by LGC revealed the presence of a metabolite of stanozolol.

The Disciplinary Committee heard evidence from Professor Morris to the effect that stanozolol, a Class C controlled drug, is an anabolic steroid which affects dogs as it does other animals and people, those effects including building muscle. The Committee noted that anabolic steroids have many serious side effects and that stanozolol is a substance which by its nature could affect the performance or prejudice the welfare of a greyhound.

Mr Tanner's evidence was that he purchased the greyhound in June from Dermot Carroll and that stanozolol must have been administered prior to that. The Disciplinary Committee noted that having initially said he purchased the greyhound almost 6 weeks prior to the sale in his oral evidence he changed this to 4 weeks. The committee felt that this was a deliberate change to his evidence made in an attempt to demonstrate that it would not have been possible for stanozolol to have been administered while the greyhound was in his care.

Mr Gibson, on behalf of GBGB, urged the Disciplinary Committee to find on the balance of probability that Mr Tanner himself administered stanozolol. He relied on the following matters: Evidence from the Irish Coursing Club (ICC) that Mr Tanner reared COLLATERALDAMAGE'S litter. Initially Mr Tanner categorically and emphatically denied that that was the case. At the start of the inquiry the only information in this regard came in the form of a short email from Carmel Leavy of the ICC which was considerably lacking in detail especially as to the source of that information. The case was therefore adjourned so that the ICC records could be obtained. During this adjournment Mr Tanner changed his account and stated that he had whelped the litter, but then returned them

to the owner/breeder. This was confirmed by the ICC document which named the owner/breeder as Garry Carroll, not Dermot Carroll. The Committee regarded this change of evidence as significant as it casted considerable doubt on Mr Tanner's credibility as a witness.

Against that background the Committee considered the rest of the evidence. At the local inquiry Mr Carroll had named a Peter Cronin as the person who reared this litter, but upon being contacted by Peter Rosney, the area stipendiary steward, Mr Cronin denied all knowledge.

Mr Tanner also provided a telephone number for Dermot Carroll and signed it off as being accurate, whereas it was missing one digit.

Mr Tanner had provided no evidence in support of his account. Whilst it was incumbent upon GRB to prove this case against Mr Tanner, the Committee found his claim that he did not see the importance of such evidence unconvincing and drew the inference that no such evidence existed.

The Committee did not find Mr Tanner to be a witness of truth and considered that his account was simply an attempt to obfuscate his involvement in the administration of stanozolol. There was clear evidence from professional trainer Ron Harwood that COLLATERALDAMAGE was an underweight dog. Further, it had never been raced. The Committee was satisfied on the balance of probability that Mr Tanner administered stanozolol or allowed or caused stanozolol to be administered to build the greyhound up and make it more saleable.

The Committee noted that the scientific evidence of Professor Morris was entirely consistent with their finding.

These were extremely serious breaches. The Committee found that Mr Tanner deliberately administered or allowed or caused the administration of stanozolol with the intention of misleading any potential purchaser of this greyhound. He then lied to the Disciplinary Committee in an attempt to conceal what he had done. In those circumstances, the least penalty the Committee could impose was that Mr Tanner be warned off for a period of 6 months with immediate effect and fined £1,000.

2. Former Registered Sales Agent Mr T Tanner – Welfare of Greyhounds

Former registered sales agent Tom Tanner was found in breach of rules 2, 152 (i) & (ii) and 174 (xi) of the GBGB Rules of Racing concerning the welfare of greyhounds in his care and that he breached EU Regulations 92/65 EEC and Council Regulation 1/2005 (Welfare of Animals during Transport) in that he transported animals between 21 January 2016 and 22 January 2016 in contravention of the requirements as set out in these Acts.

Mr Tanner was in attendance. Andrew Mascarenhas, racing manager of Kinsley Stadium, apologised for his non-attendance in person, but made himself available to give evidence by telephone. Peter Rosney, area stipendiary steward, was also present.

On 22 January 2016 Mr Tanner travelled from his home in County Cork to Kinsley Stadium having entered into a private agreement to supply 24 greyhounds to attached trainers for £350 each on condition that they successfully completed qualifying trials.

The track management and a number of trainers had expressed concern at the condition of those greyhounds which led to a veterinary inspection of 15 of the greyhounds. The track veterinary surgeon, Dr Bossuyt, had filed a statement detailing numerous problems. All of the 15 greyhound were infested with fleas, five were dehydrated, seven had open wounds/lesions/pressure sores and five were significantly underweight. It was apparent from this evidence and from the photographs shown to the inquiry that all these dogs had been significantly neglected for some time.

Of the 24 greyhounds transported, 17 had to be retained by Kinsley who arranged for their accommodation by attached trainers.

Mr Tanner accepted the veterinary evidence as accurate. In the judgment of the Committee the condition of the greyhounds arose from serious neglect over a long period. Despite being given several opportunities to do so Mr Tanner expressed no remorse for the condition of the greyhounds. His only concern was that he had been left "several thousand pounds" out of pocket.

On 22 January 2016 Andrew Mascarenhas discovered that several of the greyhounds did not have their passports with them. Neither did Mr Tanner have a Balai Certificate as required by EU legislation. The Committee was satisfied on the balance of probabilities that Mr Tanner was fully aware of the need for these documents which he could not obtain as he realised that any veterinarian who saw the condition of these greyhounds would not have issued a 'fit and healthy to travel certificate'. Mr Tanner then travelled from his home in County Cork to the UK via Belfast because he knew there would be no inspection of documents on that route.

The Committee was profoundly concerned by the welfare of these greyhounds. Mr Tanner appeared not to take seriously the greyhounds' condition speaking at one point of their suffering a few "bumps and scratches". In the judgment of the Committee this indicated a callous indifference. He also appeared to have a cynical disregard for important EU legislation in the interests of profit.

The Disciplinary Committee has as its paramount concern the health and welfare of greyhounds. It cannot and will not tolerate callous and wilful cruelty of this sort. This was a wholly intolerable situation which must be marked with the most serious penalty. Accordingly, the Disciplinary Committee ordered Mr Tanner to be warned off indefinitely with immediate effect and fined £5,000.

The Disciplinary Committee noted that Kinsley was responsible for the costs of treating and housing many of the greyhounds involved in this case and wishes to commend the Kinsley management for their swift and responsible action.

3. Kinsley Stadium – MR ZEBADÉE – Professional Trainer Mrs S Canning

Professional Trainer Sandra Canning was found in breach of rules 152 (i) & (ii), 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound MR ZEBADÉE at Kinsley

Stadium on 18 December 2015 was analysed by LGC Health Sciences as containing the presence of piroxicam.

Mrs Canning apologised for her non-attendance as did Andrew Mascarenhas, racing manager of Kinsley Stadium. Professor Tim Morris, independent scientific adviser, and Peter Rosney, area stipendiary steward, were in attendance. Mr Canning was available via telephone.

Professor Morris gave evidence that piroxicam is a medical drug, not licensed for use in dogs or other animals, and is chemically in the class of drugs described as non-steroidal anti-inflammatory drugs (NSAIDs). NSAIDs relieve pain, reduce fever and reduce inflammation. Piroxicam is a drug which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

At the local inquiry held on 23 January 2016 Mrs Canning said that as part of her kennel routine she would massage her greyhounds on the day of a race; however, on 18 December 2015, she was absent from the kennel as she had to deal with a serious family matter and her husband, Harold Canning, had to prepare the greyhounds for racing, including massaging MR ZEBADÉE. Mrs Canning explained that her husband had been prescribed anti-inflammatory medications, including piroxicam, to treat an on-going medical condition. The Committee received evidence to this effect.

The Committee accepted Mrs Canning apologies for not attending this inquiry and noted her availability, along with Mr Canning, to provide oral evidence via conference call. The Committee was, therefore, able to establish in further detail both the medical condition and the on-going treatment for Mr Canning, in addition to the kennel routine of that particular day.

The Committee were satisfied, given all the circumstances of this case, that on the balance of probabilities the most likely cause of this positive sample was the inadvertent contamination from Mr Canning to this particular greyhound. The committee noted the medication prescribed to Mr Canning for the treatment of an on-going condition and, having considered the evidence of Professor Morris to the effect that the explanation given by Mr Canning was consistent with the scientific evidence, regarded this case as an unfortunate accident. However, the Committee urged Mr and Mrs Canning to take greater care in the future when handling the greyhounds in their care.

Having taken into account Mrs Canning's good disciplinary record and her good character and, given all the circumstances of the case, the Committee ordered that Mrs Canning be cautioned but imposed no fine.