

## **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 21 April 2016:-

Mr H Starte (in the chair)

Mr J Akerman

Mr A Hunt

#### **1. Poole Stadium – STEEPLE RD ALEX – Professional Trainer Mr RW Smith**

Professional Trainer Robert Smith 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 STEEPLE RD ALEX at Poole Stadium on 29 November 2015 was analysed by LGC Health Sciences as containing the presence of furosemide.

Mr Smith did not attend, apologising for his absence in a letter received by the GBGB on 30 March 2016 saying he could not travel owing to his disability. There was no representative of Poole Stadium in attendance. Area stipendiary steward Jim Snowden and Professor Tim Morris, independent scientific adviser, were in attendance.

The Committee heard evidence from Professor Morris that furosemide is a prescription only diuretic used in the treatment of humans and dogs and other animals for reduction of abnormal accumulation of fluid in the body. The use of diuretics has been banned across sports because it removes water from the body, causing rapid weight loss. Diuretics can also be used to mask the administration of other doping agents by increasing the volume of urine, thereby reducing the concentration of those agents in the urine. Diuretics had a number of side effects and contraindications to their use, especially if used without a specific diagnosis. Information before the Committee from Simon Gower, Veterinary Director GBGB, stated that the most common side effects were headache, hypotension, muscle cramps, dry mouth, thirst, weakness lethargy and drowsiness. In Professor Morris's view furosemide was a substance which by its nature could affect performance or through inappropriate use prejudice the wellbeing of a greyhound.

In a letter submitted to the local inquiry, Mr Smith had admitted administering a 40mg tablet of furosemide to STEEPLE RD ALEX, which he said had come from the supply prescribed to him for his medical condition. He said the greyhound had had intermittent urinating problems since February 2015 that he had treated with potassium/sodium citrate or electrolytes. The greyhound had run poorly and finished a well-beaten fifth on 17 November 2015 and had not seemed itself on returning to the kennel. Mr Smith said that the next morning the greyhound had struggled to urinate, standing for 20 minutes on three legs trying to do so. Mr Smith said he had administered potassium citrate in STEEPLE RD ALEX's water but the next day, 19 November 2015, the greyhound was still having difficulty and by evening was struggling. It had fluid retention in its back legs and was looking uncomfortable. Mr Smith said that was when he gave STEEPLE RD ALEX the 40mg furosemide tablet. He had planned to take the dog to the vet the next day but had not because the greyhound was brighter the next morning and urinating normally, which it did from then on.

The Committee heard that at the local inquiry, Mr Smith told area stipendiary steward Jim Snowden he had his furosemide tablets loose in a plastic container on 19 November 2015 when he fed the tablet to STEEPLE RD ALEX, feeding it to the greyhound in a piece of chicken. The greyhound had jumped up and knocked the container from his hand, Mr Smith said, spilling the tablets onto the bedding on the floor. He said he had found and retrieved about 6 tablets from the floor but was not sure he recovered them all.

Mr Snowden told the Committee he had made a kennel inspection at Mr Smith's kennels on 27 November 2015, two days before the sample that tested positive for furosemide was taken. He had seen paper bedding on the kennel floors that was not noticeably dirty or soiled. In his experience paper bedding would be completely removed every 2 to 3 days. Any tablets in the bedding would have been removed and not left behind in the new bedding. The bedding he had seen had not looked like bedding that had been down for many more days. Mr Snowden said that in his experience a greyhound would not eat a tablet if it found it on the floor. If a tablet were put in food, greyhounds would often eat all around the tablet to avoid it.

In evidence to the Committee, Professor Morris said studies showed that 60% of administered furosemide would be excreted in a greyhound's urine after 3 hours. If 40mg had been given to STEEPLE RD ALEX, 16mg would have not been excreted after 3 hours. It would take about a further day for this remaining furosemide to be excreted. But because furosemide was also excreted other than through the kidneys, excretion may be more rapid and may take less than one day. In this case, the tests on the sample showed that 86µg of furosemide was excreted on 29 November 2015. Professor Morris said that if this much was excreted on that date, it was inconceivable that this was the remains of a tablet administered on 19 November 2015. It was consistent with the substance being administered on the same day the sample was taken. He thought it likely furosemide had been administered within a period of 48 hours before the sample was taken.

In a letter to the Committee dated 14 April 2016, Mr Smith stated that it was his normal practice to get his daughter to take his furosemide tablets out of their blister packs and put them in his plastic container because he struggled to take a tablet out of its pack without dropping it. He insisted that no furosemide had been given to STEEPLE RD ALEX after 19 November 2015.

Professor Morris told the Committee that Mr Smith's account of his treatment of STEEPLE RD ALEX raised serious welfare issues. Veterinary medicines (like furosemide) could not be used except under veterinary prescription. The DEFRA Code of Practice for the Welfare of Dogs was important guidance that had to be followed to comply with the Animal Welfare Act 2006 and its requirement that dogs be protected from pain, suffering, injury and disease. The Code stated: "If you recognise signs and symptoms of disease or suspect that your dog is in pain, ill or injured, contact a vet promptly and follow veterinary advice regarding its treatment." The clinical signs in STEEPLE RD ALEX described by Mr Smith were potentially severe and were non-specific. Specific veterinary diagnosis should have been sought on 18 November 2015, even by an experienced trainer. At the very least Mr Smith should have made contact with a vet for advice on the telephone. Professor Morris said that if, as a vet, he had had these symptoms described to him and it had emerged that he had not advised immediate veterinary examination and treatment, he would have been in serious difficulties with his professional regulatory authority.

Reaching its decision, the Committee noted that by his account of events Mr Smith admitted being in breach of Rules 152 (i), 174 (i)(a) and 217.

However, the Committee found that the scientific evidence presented by Professor Morris was incontrovertible in showing that any administration on 19 November 2015 could not have been the cause of the positive sample taken on 29 November 2015. Professor Morris's firm evidence was that this result probably came from an administration within the 48 hours before the sample was taken.

The Committee also found Mr Smith's only explanation for how this may have happened incredible. The kennel bedding would in all likelihood have been replaced, removing any spilled tablets, before the latest date on which the greyhound could have ingested a tablet and produced the positive urine sample taken on 29 November 2015. Mr Snowden's observation on 27 November 2015 indicated that the bedding had been replaced since 19 November 2015. The Committee accepted Mr Snowden's evidence that greyhounds tend to avoid tablets rather than taking them from the floor and ingesting them.

Taking all these things together, the Committee found it very unlikely that events happened on 19 November 2015 as described by Mr Smith or that furosemide was administered to STEEPLE RD ALEX at all on that day. The Committee found that his version of events was untrue and designed to mislead the Committee as to how furosemide was in fact administered to the greyhound. Even if Mr Smith gave furosemide to STEEPLE RD ALEX on 19 November 2015, there was a further administration closer to the race day on which the sample was taken, which the Committee had to infer Mr Smith was falsely denying and which cannot have been done for any legitimate purpose or from any concern for the greyhound's welfare.

The Committee also observed that, if Mr Smith's account of events on 17, 18 and 19 November 2015 was true, that account raised serious concerns about his attitude and approach to animal welfare, particularly the seriousness of the symptoms described and the amount of time that the greyhound was said to have been in considerable discomfort without Mr Smith seeking veterinary advice. Professor Morris had been clear that any trainer in those circumstances should have sought urgent veterinary advice.

The Committee found Mr Smith in breach of rules 152 (i) & (ii), 174 (i)(a), and 217 of the GBGB Rules of Racing, not on the basis on which Mr Smith admitted being in breach but on the basis that there was a deliberate administration by him or with his authority later than 19 November 2015 and probably in the period of 48 hours before STEEPLE RD ALEX raced on 29 November 2015.

The Committee was unable to make any finding on why this diuretic had been administered to STEEPLE RD ALEX close to the race day. It noted that, as Professor Morris told the Committee, it is known that diuretics are abused to enhance performance by causing weight loss and/or to mask the administration of other agents. The Committee regretted that in the absence of Mr Smith or any representative for him, it had not been able to pursue these lines of inquiry.

In a letter dated 14 April 2016, Mr Smith told the Committee that he had been involved with greyhounds since he was 17 and that for 70 years greyhounds had been his life. The Director of Regulation confirmed that there were no breaches of the Rules of Racing recorded against Mr Smith. The Committee took on board this clean record in a very long career as a trainer.

The Committee was saddened that it had been forced to conclude that Mr Smith had not, as he professed, “put his hands up” to what had happened but had given a false explanation for how furosemide came to be found in the sample taken from STEEPLE RD ALEX that was contrived to attract the Committee’s sympathy. It was also of concern that Mr Smith’s account of how he claimed to have treated the greyhound indicated a reckless approach by him towards the welfare of greyhounds in his care.

The Committee read a number of character references for Mr Smith, all of which spoke of his significant contribution to greyhound racing and commended him for his concern for the welfare of greyhounds in his care. However, the Committee had to note that the facts of this case did not bear out those testimonies.

The Committee considered that the appropriate penalty was that Mr Smith be disqualified for a period of 3 months, suspended for a year, and that he pay a fine of £750.

## **2. Sunderland Stadium – BEBO QUEEN - Professional Trainer Mrs EA Lagan**

Professional Trainer Mrs (Elizabeth) Ann Lagan was found in breach of rules 152 (i), 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound BEBO QUEEN at Newcastle Stadium on 18 June 2015 was analysed by LGC Health Sciences as containing the presence of a metabolite of stanozolol.

Mrs Lagan was in attendance. Also in attendance were area stipendiary steward Alex McTaggart and Professor Tim Morris, independent scientific adviser. Michael Patterson, racing manager at Sunderland Stadium, apologised for his absence.

The Committee heard that a urine sample had been taken from the greyhound BEBO QUEEN in the course of a time finding inquiry into the greyhound’s performance at Sunderland Stadium on 15 January 2016. The greyhound had found 0.48 secs. on its best recent time. The time finding inquiry had been satisfied with the trainer’s explanation for this improved performance. The urine sample was sent for analysis by LGC Health Sciences and found to contain the presence of a metabolite of stanozolol.

Professor Tim Morris gave evidence that stanozolol is an anabolic steroid which cannot legally be imported into the EU for veterinary use and is a Class C Controlled Drug in the UK. It would necessarily have been illegally imported into the UK. As a result it could also be of poor quality or contaminated with other substances. As an anabolic steroid, stanozolol affects dogs as it does other animals and humans, including building muscle. It also has many serious side effects. It is therefore by its nature a substance which could affect the performance of a greyhound or could prejudice the wellbeing of a greyhound.

The Committee heard that Mrs Lagan told the local inquiry that BEBO QUEEN came into her kennels on 15 November 2015 when she received it from the owner, Mr Graham Rankin, a Trainer attached to Shawfield Stadium. The greyhound had been running at Shawfield Stadium. She had asked Mr Rankin if BEBO QUEEN had been in season, what he fed it on and its best racing weight. Because she knew Mr Rankin and that the greyhound had been running at Shawfield Stadium, she did not ask about whether the greyhound had had any medication.

The Committee received a written statement from Mr Rankin that he had bought BEBO QUEEN from Irish trainer Mr Peter Cronin after seeing it for sale on the internet. Mr Rankin stated that he had asked Mr Cronin what the greyhound had done and its weight and that he had been told it had had no injuries or medication. BEBO QUEEN had arrived in his kennels on 25 April 2015. It had run 20 races at Shawfield Stadium, winning five. Mr Rankin stated that he had sent it to Mrs Lagan to race at Sunderland Stadium because he thought it would do better there in level races rather than in handicaps.

The Committee received a written statement from Mr Peter Cronin in which he stated he had BEBO QUEEN in his kennels from November 2014 for a period before it went back to its then owner, returning at some point before he trialled it around Clonmel on 17 April 2015. Mr Cronin stated that BEBO QUEEN had received no medication while with him and that he had not administered stanozolol to the greyhound.

The Committee heard that a Point of Registration Sample had been taken from BEBO QUEEN after its arrival in Mr Rankin's kennels, although not until 9 May 2015. However, in line with the GBGB's normal practice, this had been discarded after 6 months and so was not available for analysis.

The Committee heard that Mrs Lagan had an elective test performed by LGC Laboratories on a urine sample taken from BEBO QUEEN on 16 March 2016. The report from LGC Laboratories dated 23 March 2016 shown to the Committee stated that tests on the sample taken on that date showed "indications of low level stanozolol metabolites". Mrs Lagan told the Committee that LGC Laboratories had advised her that she could have a further test performed before racing BEBO QUEEN but that, given the low level of the substance shown as remaining in the greyhound indicated it was at the tail end of being detectable, it was likely to be out of the greyhound's system "in a week or so".

In evidence to the Committee, Professor Morris said that the administration study and collated data from confirmed findings of stanozolol metabolites showed that stanozolol metabolites can be confirmed at least 5½ months after administration. He added that he was aware that where trainers had commissioned elective tests after a positive test result, in one case there had been a positive result around 9 months after the previous positive result and in another there had been a positive result 13 months after the previous positive result.

Professor Morris expressed the view that a positive result anything more than 13 months after a first positive result would be highly unusual. But he urged caution on Mrs Lagan and other trainers, saying that they should either have further elective tests performed until the greyhound was clear or wait for 13 months from the first positive test before racing a greyhound.

Professor Morris said that the history around stanozolol being administered to greyhounds pointed to it being particularly associated with Ireland. However, that would not make him rule out that in this case the substance had been administered in Scotland or England. He agreed with the assessment LGC Laboratories was said to have made, that the results from the elective test performed by them for Mrs Lagan indicated that the substance was by that time at the tail end of being detectable. From that latest test, Professor Morris thought there was some degree of certainty that the stanozolol had been administered to BEBO QUEEN before it came into the care of Mrs Lagan. On the basis of the scientific evidence on the elimination of stanozolol from greyhounds, it was equally likely it had been administered to the greyhound in Ireland or after it had left Ireland.

Mrs Lagan told the Committee she had not been aware when BEBO QUEEN came to her that Mr Rankin had bought it from Ireland. Summing up the Board's case, the Director of Regulation said that it accepted that it was not the fault of Mrs Lagan stanozolol had been found in BEBO QUEEN and that it had been administered before the greyhound came into her care. The Board did not seek a finding of breach of Rule 174 (i)(a).

The Committee found Mrs Lagan to be an honest and credible witness. It was understandable that it seemed reasonable to her not to make any specific inquiry of Mr Rankin about the greyhound's medication or treatment when she knew Mr Rankin and knew BEBO QUEEN had been racing regularly at Shawfield Stadium. Furthermore she was not aware the greyhound had come from Ireland. Nevertheless, in light of the potential for stanozolol to remain detectable for 13 months after being administered, all trainers would be well advised to make detailed inquiries about its history whenever taking a greyhound into their care.

The Committee necessarily found that Mrs Lagan was in breach of Rules 152 (i), 174 (i)(b) and 217. In the circumstances of the case and in light of Mrs Lagan's attendance at the Committee, it did not feel it appropriate to impose any penalty. There would be no further action.