

CALENDAR NOTICE (to be published 23 September 2016)

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 6 September 2016:-

Dr AJ Higgins (in the chair)

Mr A Hunt

Mr M Elks

1. FORMER KENNELHAND KIERAN WHITE – CONSIDERATION OF LICENCE APPLICATION

The Disciplinary Committee considered a request for a licence application from former Kennelhand Kieran White, who was in attendance.

The Committee had before it a Calendar Notice dated 1 June 2001, a letter from Mr White dated 4 May 2016 and a letter of support from Mr George Andreas received by GBGB on 16 August 2016. In his letter, Mr White referred to the incident at Catford Stadium on 17 February 2001 and the subsequent NGRC Stewards Inquiry on 15 May 2001 at which he was found in breach of rules 152(a) and (b) and 174(k) of the NGRC Rules of Racing, and the Stewards ordered that his licence be withdrawn indefinitely. The incident concerned causing unnecessary suffering by presenting a greyhound for a race in an over-tight muzzle. Mr White denied having put too tight a muzzle on the dog but he had not appealed the decision.

In his letter and submission to the Committee, Mr White expressed regret and embarrassment for being implicated in the 2001 incident. He asked to be able to reapply for a licence so that he could have greyhounds racing in his own name. The Director of Regulation said that Mr White was a Registered Owner with the Irish Greyhound Board which had not recorded any matters of concern against Mr White. He said that the GBGB had no objection to reconsidering an application from Mr White.

The Disciplinary Committee considered the reports, Mr White's submissions, the fact that he had been a Registered Owner in Ireland with no evidence of breaches against IGB rules, and that 15 years had elapsed since the offence. Accordingly, the Committee gave Mr White leave to reapply for a licence as a Kennelhand.

2. PROFESSIONAL TRAINER RONALD HARWOOD – ANIMAL WELFARE

Professional Trainer Ronald Harwood was found in breach of rules 152 (i) and (ii) and 212 (iii), (viii) and (ix) of the GBGB Rules of Racing concerning general greyhound welfare standards.

Mr Harwood was in attendance. Mark Siddall, representative of the Kinsley Owners and Trainers Association and Paul Illingworth, Senior Stipendiary Steward, were also in attendance. Ms Paula Clare, Stipendiary Steward, sent apologies for absence.

The Committee heard evidence from the Senior Stipendiary Steward that he had held a Local Inquiry on 15 April 2016 into the care of greyhounds at the kennels of Mr Harwood following a series of

visits he and Stipendiary Steward Paula Clare had made between October 2015 and April 2016. Several issues had been highlighted including overcrowding, inadequate housing, the need for fresh clean water to be provided at all times, the need for excreta and soiled materials to be appropriately removed and disposed of, and the provision of suitable bedding. There were also several infrastructural deficiencies and repairs that had not been completed despite repeated requests and provision of a Trainers Assistance Fund grant. Photographic and video evidence was presented to the Committee. Improvement Notices had been issued on three occasions during the period but although some changes had been made standards had remained unsatisfactory. The Committee also noted a letter from a previous Stipendiary Steward dated 22 February 2014 that had warned Mr Harwood that his kennels were not fit for purpose and that he had 10 greyhounds more than his kennel capacity.

In a letter dated 30 April 2016 to the Director of Regulation following the Local Inquiry, Mr Harwood stated that the issues raised were nonsense and trivial and that he believed he had fully complied with the Improvement Notices. He stressed that he would always do his utmost to rehome greyhounds rather than euthanase them even if this required kennelling dogs together for short periods. He had added that he was building additional kennels but this had been delayed as he had diverted funds to comply with the Improvement Notices. He also sought to justify why he had not complied with the instructions of the Stipendiary Stewards or Improvement Notices largely on the grounds of cost or priorities or disagreement with the views of the Stipendiary Stewards.

Mr Harwood's case was presented by Mr Siddall who stressed that Mr Harwood's policy was not to euthanase greyhounds and, as a result, the numbers of greyhounds in his care had accumulated. He said Mr Harwood had always done his best but had found it hard to divert funds to meet the demands of the Improvement Notices. Mr Harwood did not accept that the dogs were deprived of water but said that the bowls were knocked over and this in turn could soak the bedding. He asserted that all improvements had now been completed. He denied that he was responsible for inappropriate disposal of excrement by throwing it over the fence and stated that he always bagged up and disposed of waste correctly. In a letter to the Director of Regulation dated 27 August 2016, Mr Harwood admitted breach of Rule 212 (iii) but disputed all further breaches with regard to rules 212 (vi), (vii), (viii) and (ix) and stated that he had fully complied with Improvement Notices issued to him.

Mr Illingworth said that he had visited the kennels in August 2016 and was able to advise that the new double unit kennels appeared satisfactory and the numbers of greyhounds held were now within the kennel capacity. Additional work was still required on the paddocks and a re-visit would be scheduled at which a decision would be taken as to whether the kennels were now at an acceptable standard.

The Committee noted the Veterinary Inspection Reports for 2013, 2014, 2015 and 2016. These stated that from the veterinary perspective the kennels were broadly acceptable with issues on drainage cited in 2015 and lighting in 2016.

The Committee noted the evidence of Mr Siddall and letters of support indicating Mr Harwood's dedication to rehoming retired greyhounds and the veterinary care he provided for dogs in his care. Some photographic evidence had also been provided showing the new kennels and some of the greyhounds. However, the Committee considered that Mr Harwood, as a Licenced Trainer, was well aware of the need to comply fully with the Rules of Racing. The delays in implementing improvements required by Stipendiary Stewards and through a series of Improvement Notices over a period of seven months were unacceptable, and failing to make these improvements was considered by the Committee to be prejudicial to the integrity, proper conduct and good reputation of greyhound racing.

The Committee gave Mr Harwood credit for admitting breaches of Rule 212 (iii) in that kennelling for his residential licensed kennels did not meet minimum requirements in terms of structure and required size for the numbers of greyhounds held. The Committee also noted that he had recently made good efforts to meet the required standards of kennelling. However, the Committee felt that meeting minimum standards for kennelled greyhounds was not a matter that should have to come before a Disciplinary Committee and the instructions of Stipendiary Stewards and requirements of Improvement Notices must always be addressed promptly and consistently. There was clear evidence of reversals after previous improvements had been made, particularly in terms of the number of greyhounds held. This was unacceptable in Licenced Kennels.

The Committee was informed of previous breaches, including the indefinite withdrawal of Mr Harwood's licence in 1999 for abandoning two greyhounds, although he was granted leave to re-apply in 2012 and this had been approved. In all the circumstances of the present case, the Disciplinary Committee ordered that Mr Harwood be disqualified for 6 months suspended for 2 years. The Committee warned Mr Harwood that his licence would be withdrawn if he failed to continue to meet the requirements imposed by the Rules.

3. WIMBLEDON STADIUM – WONDER MILLIE

International Trainer Oliver Canavan was found in breach of rules 152 (i) and (ii), 174 (i)(a), 214 and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound WONDER MILLIE at Wimbledon Stadium on 7 May 2016 was analysed by LGC Health Sciences as containing the presence of theophylline; and that he allowed a substance to be administered that could affect the performance and/or wellbeing of the greyhound.

Mr Canavan was not present. Gary Matthews, racing manager of Wimbledon Stadium, apologised for his non-attendance. Jim Snowden, Stipendiary Steward, and Professor Tim Morris, Independent Scientific Adviser were in attendance.

Mr Snowden confirmed that he had spoken to Mr Canavan who had said that he was on holiday in Spain. He had confirmed that he had received the calling in letter and accompanying paperwork and understood the procedure. No breaches were admitted and the Committee decided to proceed in the absence of Mr Canavan.

The Director of Regulation said that the pre-race urine sample had been collected on 7 May 2016 before a heat in the 2016 Greyhound Derby. The greyhound, WONDER MILLIE was owned and trained by Mr Canavan, a Registered Owner with the Irish Greyhound Board but who was not registered with GBGB. The greyhound won its heat but after the urine sample was found to contain a prohibited substance, namely theophylline, the greyhound was withdrawn from the next round. A Local Inquiry was held on 4 June 2016 and Mr Canavan had participated by phone. Mr Canavan had stated that he had no idea how the substance came to be in the greyhound unless somebody at Wimbledon put it in the dog. The Director of Regulation said that CCTV footage had been examined and he was satisfied with security at the stadium.

Professor Morris stated that theophylline is licenced as a medicine for humans and dogs. It stimulates the brain and heart, opens the airways and has a number of side-effects. As such, theophylline is a substance that can affect performance and could prejudice the well-being of a greyhound. Evidence from Mr Simon Gower, GBGB Veterinary Director, also noted that caffeine could be a parent drug

for theophylline and that caffeine also facilitated the performance of muscular work and increases the total work that can be performed by a muscle. Cocoa, coffee, tea and cola all contained variable amounts of caffeine and theophylline.

Evidence was given that the sample from WONDER MILLIE contained traces of caffeine and theobromine as well as a concentration of theophylline well above the residue limits defined in GBGB Operating Procedure. It was the opinion of Professor Morris that as caffeine metabolises to theophylline, but not vice versa, and given the relative proportions of theophylline, caffeine and theobromine found, that caffeine was the likely source of the theophylline found in the urine sample. There was no indication as to the source of the caffeine but possibilities might include tea, other drinks or caffeine tablets. The findings were consistent with a caffeine administration during the afternoon prior to kennelling.

Professor Morris said that there was no evidence that a medication as treatment had been given to the dog. Mr Canavan at the Local Inquiry had stated that he only fed Red Mill Racer and that he made up a chicken 'Cup a Soup' and poured that over the biscuit. There was no admission as to the use of supplements. Professor Morris said that Cup a Soup was not a product likely to contain caffeine. He added that Red Mills routinely analysed their feed products and drew attention to a Certificate of Analysis for that batch of Red Mill Racer which showed the feed contained small quantities of caffeine but about 150 times less than the dose required to produce the reported levels of caffeine also found in the urine. Thus feed was highly unlikely to be the source of the theophylline found in the urine of WONDER MILLIE.

The Committee noted that the Director of Regulation had consulted the Irish Greyhound Board who had advised that there were no breaches of their Rules recorded against Mr Canavan. No mitigation was offered.

The Committee regretted that Mr Canavan had not attended the Hearing as there remained several unanswered questions as to the likely source of the theophylline. On the balance of probabilities, the Committee found that Mr Canavan had administered a substance containing caffeine which then metabolised to theophylline in the greyhound. The scientific evidence was consistent with administration of caffeine in the hours immediately before kennelling and that this could have had an effect on the greyhound's performance. Moreover, the race in question was a heat in the 2016 Greyhound Derby and any change in performance could have had an effect on ante-post betting which would be a matter of considerable concern to the integrity of the sport.

Because of this, and the effect caffeine can have on the performance and welfare of the greyhound, the Disciplinary Committee ordered that Mr Canavan be severely reprimanded and fined the sum of £1,000.