

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 26 July 2017:-

Mr H Starte (in the Chair)

Mr R Woodworth CBE

Mr A Hunt

1. Peterborough Stadium – MAD MANGO – Registered Sales Agent Mr Joe Keane

Registered Sales Agent Mr Joe Keane 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 MAD MANGO at a sales trial at Peterborough Stadium on 20 November 2016 was analysed by LGC Health Sciences as containing the presence of dexamethasone.

Registered Sales Agent Mr Joe Keane and Mr Martin Race, Racing Manager at Peterborough Stadium were not in attendance. Area Stipendiary Steward Mr Adrian Smith and Professor Tim Morris, independent scientific adviser, were in attendance.

The Committee heard that Mr Keane wished the hearing before the Committee to be adjourned. In April 2017 Mr Keane had asked for the hearing then proposed for a date in May to be adjourned until September because he had a medical appointment in the same week in May and so his solicitor could consider the inquiry papers. The Board had agreed to put back the hearing to a date in June or July. Recently the Director of Regulation had received a telephone call and then a letter dated 19 July 2017 from a friend of Mr Keane, asking that for personal and family reasons the hearing be adjourned at least until September. The Committee declined to adjourn the hearing, finding Mr Keane had had ample time to prepare for the hearing with or without a solicitor and to make representations and there was nothing to suggest his circumstances would be any different in September.

The Committee heard that a urine sample had been taken from the greyhound MAD MANGO at Peterborough Stadium on 20 November 2016 before it ran and came first in a two dog trial over 435m. The sample had been analysed by LGC Health Sciences as containing the presence of dexamethasone.

Professor Morris told the Committee that dexamethasone was one of the most powerful corticosteroids commonly available. It was a potent anti-inflammatory, with side effects that included causing metabolic disturbances and reduction of the body's response to infection. As such, it was a substance which by its nature could affect the performance and/or prejudice the wellbeing of a greyhound.

Area Stipendiary Steward Adrian Smith told the Committee that after great difficulty in arranging for the local inquiry with Mr Keane, he had eventually conducted it on the telephone on 16 January 2017. The next day he had posted to Mr Keane for signature the form containing his answers to the questions put to him.

In his answers, signed and returned by Mr Keane, he said he did not know how the substance had come to be in MAD MANGO. He thought it must have been administered before the greyhound came into his care. He had bought the greyhound from a farmer, Mr Paddy McDonald, to make up numbers for the sale that he was promoting at Peterborough Stadium. A Mr Graham O'Connor had collected the greyhound for him from Mr McDonald. He had met Mr O'Connor at Portlaoise at 6am on 19 November 2016 and with the greyhounds they had caught the 10 am ferry from Dublin, arriving at Peterborough at 8pm that day. MAD MANGO had been fed fish and Weetabix at 9am on 19 November 2016, then a main meal at 8pm of Gain and chicken. The greyhound was not fed again before trialling.

When Mr Keane was sent the form containing his answers for signing, he was also asked to send back addresses and contact numbers for Mr McDonald and Mr O'Connor. Mr Keane had signed and returned the form, but had not given this information. When he wrote to the Director of Regulation in April 2017 asking to adjourn the hearing before the Committee, Mr Keane gave a contact telephone number for Mr O'Connor and said that Mr McDonald was in hospital suffering from dementia and could not be contacted. The Committee heard that the telephone number for Mr O'Connor given by Mr Keane had proved to be unobtainable.

Professor Tim Morris's evidence was that dexamethasone could have come to be in MAD MANGO as a result of the greyhound being fed Category 2 knacker meat from animals treated with the corticosteroid before slaughter, but there was no record of Category 2 meat being fed. The substance would not have come from anything that Mr Keane said had been fed in the 29 hours he said the greyhound had been in his care before the sample was taken.

As for the substance being administered to the greyhound, Professor Morris explained that dexamethasone was supplied as an injected veterinary treatment in two formulations, a short acting formulation and a long acting formulation. Studies on the rate of excretion of the substance by dogs indicated that a clinical dose of dexamethasone had not been administered to MAD MANGO in the period that Mr Keane said it had been in his care. If a dose of the substance had been administered in its short acting formulation, the science indicated it would have taken around 72 hours to fall to the level detected in this greyhound's urine. A dose in the long-acting formulation would have been administered 10 or 11 or more days before the sample was taken. The level detected could have been the result of an administration of a low dose within the period the greyhound was said to have been in Mr Keane's care, but this would be a difficult operation and Professor Morris thought it much less likely than an administration of a clinical dose at an earlier date.

For the Board, the Director of Regulation accepted that it was less likely that dexamethasone had been administered to MAD MANGO in the period Mr Keane said the greyhound had been in his charge and that Mr Keane's account of when the dog came into his care could not be shown to be false. The Board did not pursue the case that Mr Keane was in breach of Rule 174 (1) (a). But it did not appear that Mr Keane had properly discharged his responsibilities as a sales agent in the way he had acquired and sold this greyhound. He did not appear to have made any checks or inquiries into the condition of the dog or what treatments it might have had before it came into his care.

The Committee found that Mr Keane was in breach of Rule 174 (1)(b), Rule 217 and Rule 152 (1) in that he had had in his charge and had trialed a greyhound, MAD MANGO, when it showed the presence of and was not free of a substance, dexamethasone, which by its nature could affect its performance or could prejudice its wellbeing. The Committee was concerned that Mr Keane did not appear to have discharged his responsibility as a sales agent to make inquiries into the condition of MAD MANGO and whether or what recent treatments the greyhound might have had. He had given no real assistance to the Board to help it establish when and how dexamethasone had come to be present in this greyhound. The appropriate penalty was a reprimand and fine of £400.

2. Swindon Stadium – GOODBYE JONNYDEE - Professional Trainer Mr Ian Walker

Professional Trainer Mr Ian Walker 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 GOODBYE JONNYDEE at Swindon Stadium on 23 September 2016 was analysed by LGC Health Sciences as containing the presence of dehydronorketamine and norketamine.

Professional Trainer Mr Ian Walker and Mr David Stow, Racing Manager at Swindon Stadium, were not in attendance. Stipendiary Steward Meriel France and Professor Tim Morris, independent scientific adviser, were in attendance.

The Committee heard that a urine sample taken from the greyhound GOODBYE JONNYDEE after it came 5th in the 285m BAGS Track Championship Sprint had been analysed by LGC Health Sciences as containing the presence of dehydronorketamine and norketamine.

Professor Morris told the Committee that dehydronorketamine and norketamine were metabolites which result from the exposure of dogs to ketamine. Ketamine is available as a veterinary medicine for use as an anaesthetic. It affects dogs as it does other animals and people, causing sedation and anaesthesia. It can also induce hallucinations. It is well known as a drug that is abused by people. Ketamine, whose presence is indicated by the metabolites norketamine and dehydronorketamine, is a depressant of the nervous system and as such a substance which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

Mr Walker told the local inquiry that he did not have a clue how these substances could have come to be found in GOODBYE JONNYDEE. He was not aware of any treatments of the dog by himself, staff, vets or others that could be the source, nor of any treatments or substances being used by himself, staff, vets or others that could be the source. He and a kennelhand had taken this greyhound and one other to the track. Security was fine at his kennels and he knew of no problems with security at the track.

Mr Walker said he fed his greyhounds Alpha racer and pasta, with racers getting Dried Meat Terrier beef product while resters and retired dogs were fed Arkwrights beef or chicken product. Race day breakfast was brown bread and milk. Mr Walker produced copies of his receipts from Batleys wholesalers evidencing his purchase of these meat products in the relevant period.

In a letter explaining that he could not attend because the hearing had been rescheduled for a date when he was out of the country on annual leave, Mr Walker pointed out that GOODBYE JONNYDEE had been representing Perry Barr (his home track) in the BAGS championship race, and had been running against some of the best dogs in the country. He said he had never used drugs with a greyhound and had never had a positive drugs test in his 27 years of greyhound racing. He would not jeopardise his dog's chance of winning, the wellbeing of any of his greyhounds or his livelihood.

In his evidence to the Committee Professor Morris explained that while ketamine was not in common use in pet veterinary practice, it was frequently used in greyhound practice. But there was no treatment recorded in Mr Walker's kennel Treatment Book that might explain the finding of norketamine and dehydronorketamine.

The source could have been the greyhound's feed, if it had been fed meat from animals slaughtered after exposure to ketamine. The substance was licensed for use in horses and so could be found in Category 2 knacker meat. But it was extremely unlikely that it had come from the feeding regime that Mr Walker described. The only meat fed had been proprietary brand dried meat products. In Professor Morris's opinion these were extremely unlikely to be contaminated with Category 2 meat. Contamination from GOODBYE JONNYDEE's food was the least likely explanation.

As for ketamine being administered to the greyhound, Professor Morris's opinion was that if there was any administration, it had occurred several hours and probably well in excess of 7 hours before the sample had been taken. He explained that there is a clear progression after a dog is exposed to ketamine in which the primary drug metabolises to norketamine which then metabolises to dehydronorketamine. Norketamine predominates for about seven hours after exposure. After about seven hours, dehydronorketamine predominates. The levels of the two metabolites found in the sample taken from GOODBYE JONNYDEE indicated that, if ketamine was administered, it happened well in excess of seven hours before the sample. This was inconsistent with ketamine being used as a stopper. Given that none of the primary substance (ketamine) was found in the sample and given the levels of the metabolites that were found, if there was an administration of ketamine, it would not have been of any great effect on the dog in the race. Professor Morris thought that, if they came from ketamine being administered to the dog, they more likely represented the tail end of an administration which had happened some days before.

Professor Morris's evidence was that in veterinary use, ketamine is predominantly administered by injection. But it can be administered in powder form. It is in its powder form that it is more often abused by people.

Professor Morris confirmed that as a mechanism explaining how these metabolites had been found in the sample from GOODBYE JONNYDEE, it was as likely they came from cross-contamination from a person who had been abusing ketamine in its powder form and had then handled the dog as it was that they came from the greyhound being treated with an unrecorded administration of ketamine. The ketamine could be absorbed from powder on the dog's skin or by being licked by the dog. If the source of the metabolites was cross-contamination from a handler who had been abusing ketamine in powder form, the absence

of ketamine itself from the sample indicated that this had happened 7 hours or more before the sample was taken.

For the Board, the Director of Regulation acknowledged that no case had been made out that GOODBYE JONNYDEE had been doped. The Board could not say which of the possibilities identified in the evidence had in fact been the source of the two metabolites of ketamine that had been found.

The Committee agreed that there was no evidence to support a case that GOODBYE JONNYDEE had been given ketamine to effect his performance in the BAGS championship race. Not least, the greyhound was running in a race in which it was outclassed and did not need stopping and the trainer would have known the greyhound would be tested.

The Committee found that there were three realistic, possible explanations for how metabolites of ketamine had come to be found in the sample taken from GOODBYE JONNYDEE: that the greyhound's feed had been contaminated with meat from an animal treated with ketamine before being slaughtered; that ketamine had been administered to the greyhound some time before the BAGS championship race at Swindon Stadium but not recorded by Mr Walker; or that the greyhound had been cross-contaminated with ketamine from someone who had been abusing ketamine and had handled the dog.

The Committee accepted Mr Walker's evidence that effectively ruled out the possibility that the ketamine metabolites came from GOODBYE JONNYDEE's feed. As for the other possible explanations, both were disturbing. The Committee could not find that either was more likely than not to be the explanation. That meant that the Committee could not find that Mr Walker was in breach of Rule 174 (1) (a) and that he had administered or allowed, caused, connived in or procured the administration of ketamine to GOODBYE JONNYDEE. He was nevertheless in breach by reason of the strict liability imposed by Rule 174 (1) (b) and in breach of Rule 217 and Rule 152 (i) in that he had had in his charge and had raced a greyhound when it showed the presence of and was not free of a substance which by its nature could affect its performance or could prejudice its wellbeing.

The Committee heard that Mr Walker had been severely reprimanded, fined £1,500 and issued with an Advisory Notice for breaches of Rules 49 (iv) 152 (i) and (ii) and 174 (1) (a) when a greyhound, DROOPYS TEVEZ, had been administered an excessive quantity of food shortly before a race on 20 December 2011. In January 2015 Mr Walker was severely reprimanded, fined £750 and issued with an indefinite Advisory Notice for breach of Rule 152 (ii) for using, transporting and selling "stained" ABP meat without the appropriate DEFRA licence and without regard to GBGB guidance against the feeding of Category 1 and 2 meat.

The Committee ordered that Mr Walker be severely reprimanded and fined £500.