

CALENDAR NOTICE (to be published 22 September 2017)

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 5 September 2017:-

Mr M Elks (in the chair)

Dr AJ Higgins

Mr A Hunt

1. Shawfield Stadium – BALLYMAC OVANNY – Professional Trainer Mr AG Power / Kennelhand Mr S Heyburn / Authorised Representative Mr D Rankin

The Disciplinary Committee considered the report of an investigation held by the Investigating Officer, Chris Hufton, into a Point of Registration (PoR) sample taken from the greyhound BALLYMAC OVANNY at Shawfield Stadium on 2 December 2016 which upon analysis of the sample indicated a steroid profile inconsistent with that of a greyhound. The chromatographic and mass spectral properties of the endogenous steroid profile from this sample were consistent with that of a human.

Professional trainer Allan Power and licensed kennelhand Stephen Heyburn apologised for their non-attendance. The Committee decided to proceed with the hearing in their absence. Daniel Rankin, Racing Manager and Authorised Representative for Shawfield Stadium attended by telephone. Investigating officer Chris Hufton and stipendiary steward Alex McTaggart were in attendance.

The Committee heard that on 2 December 2016 a PoR sample was to be taken from BALLYMAC OVANNY. Due to an error, probably by Mr Power's father, the dog was allowed to empty on arrival at the stadium and could not therefore provide a sample of urine when required and it was decided to try again after the last race. Mr Heyburn, in his statement, declared that he did not want to remain at the stadium until after the last race because his wife was unwell and had to go into hospital. He stated that he therefore took the bowl and gloves and provided a sample himself when no-one else was present.

Mr Heyburn admitted providing the sample himself, and stated that he highly regretted it. In his most recent communication to GBGB, however, he stated not that his wife had to go to hospital but that due to her poor health she could not be left alone as late as 11.45pm.

Mr Power stated in an interview with the Area Stipendiary Steward, Mr A McTaggart, and Mr Hufton on 14 March 2017 that he took the sample from Mr Heyburn and produced it for Mr Rankin by leaving it on the table in the vets' room where Mr Rankin was. He said he had also signed the sample form to state that the sample was from BALLYMAC OVANNY and that he was satisfied with how the sample was taken. He said that if he had seen Mr Heyburn provide the sample himself he would have known it was not from BALLYMAC OVANNY. If, as he states, he was not present when the sample was provided, he could not say that he was satisfied with how it was taken.

Mr Power stated that he had 3 dogs being marked up simultaneously on 2 December but Mr Rankin's evidence is that there was only one. Mr Rankin also stated that Mr Power always dealt with PoR sampling himself leaving the kennelhands to deal with the racing dogs. Mr Power stated in the same interview that Mr Heyburn would be sacked and that he was unreliable. In his most recent communication with the GBGB, however, he stated that Mr Heyburn was working for him again and described him as a "valuable part of my team". The Committee was concerned about the inconsistencies in Mr Power's evidence.

Mr Rankin stated that he did not at the relevant time arrange for handlers to be accompanied when obtaining PoR samples due to staffing levels at the track. He had not thought this necessary as the sampling was for the trainers' protection. Samples were also not routinely sent off immediately for analysis. In this case the sample was not received by LGC Limited until 12 January 2017 (some 6 weeks later). Mr Rankin said that throughout the period between 2 December and their despatch on or shortly before 11 January 2017 the samples were locked in the vet's room.

Mr Rankin was asked about the sample being in a blue topped bottle rather than the correct yellow topped bottle for a PoR sample. LGC had reported that the security bag had not been correctly sealed as the blue bottle was too big for the PoR security bag. He said the fault lay with an assistant, who had now left the employment of the Stadium, who had not told him about the problem sealing the sample. The Committee concluded there had been a resultant serious breach in the chain of custody on which the integrity of greyhound racing depended. Where, as it appeared in this case, samples were left in the vet's room after they were taken, the possibility of the samples being mixed up was a matter of serious concern. Mr Rankin denied the suggestion by the Manager of Welfare & Integrity Services, Mr D Gibson, that he gave the sample kits in advance to trainers, but he conceded that sampling was usually unsupervised.

Mr Rankin acknowledged the breaches of procedure and said that he now adopted the procedure required by Appendix IV of the GBGB Rules of Racing and reported that Shawfield had now taken on an additional member of staff to facilitate this. He confirmed that samples were now posted the next working day to LGC.

The Committee was most concerned about the systemic failures at Shawfield, which seriously undermined the integrity of greyhound racing. They concluded that the situation had been completely avoidable if the correct procedures been in place at the stadium.

The Committee concluded:

1. Mr Heyburn was in breach of Rules 152(i) and (ii) and 174(vi) of the GBGB Rules of Racing. The Committee noted that Mr Heyburn had not previously been subject to any disciplinary action and noted his full admission of liability. However, in view of the extremely serious nature of his actions the Committee decided that his licence should be withdrawn indefinitely.
2. Mr Power was not considered a credible witness and the Committee was concerned about inconsistencies in his evidence. He was found to be in breach of Rules 152(i) and (ii) and 174(vi) of the GBGB Rules of Racing. It was noted that he had not been subject to any previous disciplinary action but the Committee ruled that he should be reprimanded and fined the sum of £500.
3. Mr Rankin had been the subject of one previous local inquiry, in 2013, for failing to submit samples promptly for analysis. His failures in the present case were considered to be serious, potentially undermining the integrity and reputation of greyhound racing. The Committee noted that the sample in this case could never have been provided if he had adopted the correct procedure. He was found in breach of rules 152 (i) and (ii), 173 (iii) and Appendix IV. The Committee decided that in his capacity as Authorised Representative of the Stadium Mr Rankin should be severely reprimanded and fined the sum of £3,000.

The Committee also recommended that Mr McTaggart makes additional unannounced inspections at Shawfield Stadium to ensure compliance with GBGB rules.

2. Towcester Stadium – GENEVA VELOZ – Greyhound Trainer Mr C Joyce

Professional Trainer Christopher Joyce was found in breach of rules 18 (ii) and (iii), 62 and 152 (i) of the GBGB Rules of Racing regarding the report of a local inquiry held by the Area Stipendiary Steward, Mrs Paula Clare into the euthanasia of the greyhound GENEVA VELOZ. Mr Joyce was in attendance as was senior stipendiary steward Paul Illingworth.

The Committee heard that GENEVA VELOZ was trained by professional trainer Mr Christopher Joyce. On 1 January 2017, the greyhound had been on a gallop with another dog. In the course of this gallop it had broken a leg and was in acute pain and distress. Mr Joyce stated that as it was New Year's Day he had assumed he would not have been able to contact a vet. The dog was so seriously injured that he resolved to take it to Grafton Hunt Kennels, which are licensed to put down animals including dogs. The written evidence of Mr Wills of Grafton Hunt Kennels was that the dog was so seriously injured that there was no other recourse but to put the dog down on humane grounds.

Mr Joyce did not notify the GBGB of the death of the dog as he should have done nor did he fill in the necessary retirement form. This only came to light and was rectified when Stipendiary Steward, Mrs P Clare, made a routine visit to Mr Joyce's kennels on 18 May 2017.

Mr Joyce admitted these breaches of the GBGB Rules of Racing and said he had not appreciated the time limits imposed on him for notification to the GBGB. The GBGB accepted Mr Joyce's admission and withdrew the allegation of breaches of Rules 18(f) and 58.

In the circumstances, the Committee ordered that Mr Joyce be reprimanded and fined £300.

3. Sunderland Stadium – Professional Trainer Mr M Taylor – Welfare Inquiry

Professional Trainer Malcolm Taylor was found in breach of rules 152 (i) and (ii), 174 (xi), 212 and 217 of the GBGB Rules of Racing into the report of an investigation held by Investigating Officer, Chris Hufton, and Area Stipendiary Steward, Alex McTaggart, on 1 February 2017 concerning the poor conditions and welfare issues regarding Mr Taylor's kennels.

Mr Taylor did not attend the hearing and was not represented. The last communication received by the GBGB from Mr Taylor on 7 July 2017 suggested he would not attend the hearing and he had failed to attend the local inquiry. The Committee decided to proceed with the hearing in Mr Taylor's absence. Investigating officer Chris Hufton and stipendiary steward Alex McTaggart were in attendance.

On 26 June 2016 Mr Taylor moved from his previous kennels to the premises at Field House Farm Hartlepool where the investigation referred to above took place. When he moved he was required by the GBGB to comply with an Improvement Notice issued to the previous occupant. He was also issued with a further Improvement Notice on 18 October 2016.

On 1 February 2017 Mr McTaggart and Mr Hufton arrived at the kennels to carry out an inspection. The Committee considered the detailed report of their findings. In summary, the main kennel block had an overwhelming obnoxious odour as a result of poor ventilation and drainage. Further, there were greyhounds kept in unlicensed dilapidated kennels on the site. Some of the 13 greyhounds there were in poor condition and severely underweight. Although Mr Taylor said the dogs in the unlicensed kennels were all retired the first one he brought out of the kennels was a dog which had raced at Sunderland the previous day. The unlicensed kennels were in very bad condition and did not appear to have been cleaned for a substantial period. Mr McTaggart called Dr Alan Dawson, the Sunderland Stadium veterinary surgeon, to inspect the greyhounds. One greyhound showed a

weight loss of 5.4 kg down from 29.1 kg in October 2016. Several other greyhounds also were recorded as in poor condition.

Mr Taylor's kennel books contained discrepancies. The treatment book showed that another dog had been on antibiotics on a day when it was run in a trial at Sunderland (Mr Taylor said that he must have entered the wrong date in the book but the Committee did not accept this as a true reflection of the circumstances). Mr Taylor had worming tablets in his possession which were in a foreign language and not approved by the Veterinary Medicines Directorate (VMD).

There were 58 greyhounds on the premises though the licence was only for 45.

Mr McTaggart had recommended the immediate suspension of Mr Taylor's licence and this had been implemented by the GBGB.

Dr Alan Dawson prepared a report which was considered by the Committee. In summary, he stated that he believed Mr Taylor had been negligent in his care of certain individual greyhounds under his charge. Along with this, there was a failing to adequately maintain a suitable environment for the housing of such a large number of greyhounds.

On 3 February 2017 Mr McTaggart arranged for an animal ambulance to collect the 3 greyhounds whose condition most concerned him. Although Mr Taylor asserted that the greyhounds in the unlicensed kennels belonged to someone else Mr McTaggart concluded that some or all of them belonged to Mr Taylor himself.

Kennelhands Grant Oliver and Gary Lovick were interviewed by Mr McTaggart and Mr Hufton in March 2017. It was clear from their evidence that the greyhounds were often not attended to adequately - overnight and well into the following morning. It was stated that Mr Taylor himself rarely arrived at the kennels before mid-morning. Mr Oliver stated that he used to go to the kennels in the morning but when he was subsequently unable to drive for medical reasons he could only attend when Mr Taylor did as Mr Taylor picked him up on the way to the kennels.

The Committee saw and noted photographs taken by Mr McTaggart and Dr Dawson showing the dilapidated state of the kennels and poor condition of some of the greyhounds.

Manager of Welfare & Integrity Services, Mr D Gibson, reported that, subsequent to his suspension, Mr Taylor had handed back his licence to the GBGB.

Mr Gibson advised that all greyhounds formerly housed at Mr Taylor's kennels had now been re-housed.

The Committee was extremely concerned at the reports that were presented and by the photographic evidence. It concluded that Mr Taylor had committed the following breaches of GBGB rules.

- a. The greyhounds at his kennels were not protected from disease and were not housed in a suitable environment.
- b. Greyhounds' excrement had not been removed often enough
- c. The greyhounds had not been visited at regular intervals
- d. The premises contained unlicensed kennels (former pig pens) which were used to house greyhounds
- e. He had acted in a manner likely to cause suffering to the greyhounds
- f. He had used unlicensed medicine namely worming tablets on greyhounds

- g. He had trialed a greyhound while on antibiotics.
- h. He had failed to comply with Improvement Notices issued by the GBGB

The Committee noted that Mr Taylor had not sought advice from the GBGB or acknowledged the seriousness of the issues raised about his kennels. He asserted that there was a vendetta against him but this view was not supported by the evidence and was rejected by the Committee in the light of the overwhelming evidence about the unacceptable condition of his kennels.

The welfare of greyhounds is the GBGB's absolute priority. In the circumstances, the committee ordered that Mr Taylor be warned off indefinitely.