

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 10 October 2017:-

Mr H Starte (in the chair)

Mr R Coughlan

Dr A J Higgins

1. Swindon Stadium – SAWPIT SUCCESSOR – Greyhound Trainer Mr D Hunt

Greyhound Trainer David Hunt 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 SAWPIT SUCCESSOR at Swindon Stadium on 9 July 2016 was analysed by LGC Health Sciences as containing the presence of ephedrine and phenylpropanolamine (norephedrine).

Mr Hunt was in attendance. David Stow, Racing Manager at Swindon Stadium, apologised for his non-attendance. Professor Tim Morris, independent scientific adviser, was in attendance.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, that ephedrine and phenylpropanolamine (PPA; also known as norephedrine) are each available as medicines for the control of urinary incontinence in dogs. Ephedrine is used as a medicine for people, mainly for the relief of nasal congestion. PPA has been used as a human medication, but had been withdrawn from use because of side effects. Ephedrine affects dogs by strongly stimulating the brain, raising blood pressure and relaxing airways. It is a drug that can be abused by people. PPA is a less active brain stimulant and a cardiac stimulant, which can cause diarrhoea in dogs. In Professor Morris's opinion, both substances are stimulants of the nervous and cardiac systems which by their nature could affect the performance of a greyhound or, by their side effect profiles, prejudice the wellbeing of a greyhound.

Mr Hunt told the local inquiry held on 25 January 2017 that he knew of nothing being administered to SAWPIT SUCCESSOR that could account for these substances being found in the dog's urine. He had been a licensed trainer for 33 years and had never had a sample from one of his greyhounds test positive. He had not and never would administer a prohibited substance to a greyhound to affect its performance.. He believed that the ephedrine and PPA detected in SAWPIT SUCCESSOR's sample had come from a medication, Urilin, with which his pet German Shepherd bitch Vera was treated for incontinence.

In a statement to the local inquiry, Mr Hunt explained that Vera's lunchtime meal was prepared in the kitchen of the kennels with the food for all his greyhounds and pet dogs. All the dogs had named bowls. The 40mg dose of Urilin would be put in the food in Vera's bowl just before the food for his pet dogs was taken to them in his house. Vera also mixed with the greyhounds in and outside the kennels.

After receiving the positive test result, Mr Hunt had asked a veterinary surgeon, Mr Simon Jones, to prepare a report on possible explanations for the presence of ephedrine and PPA, whether the substances had been deliberately administered to SAWPIT SUCCESSOR and whether they came from

the Urilin medication being given to Vera. They had obtained from the GBGB the figures for the approximate quantities of the two substances found in the sample.

In the report prepared by Mr Hunt and Mr Jones and presented to the local inquiry, they argued that the presence of the substances could not have been the result of SAWPIT SUCCESSOR being administered a substance to alter its performance. They argued that the level of PPA in the urine meant that SAWPIT SUCCESSOR could not have been given a dose level that would have enhanced its performance. There would have been no point in dosing the greyhound between race meetings, because the substances had no lasting effect after they had been eliminated from the dog's system. On the other hand, the level of PPA detected was possible if Vera's dose of medication had accidentally been fed to SAWPIT SUCCESSOR in its lunch the day before the race. Alternatively, the PPA level could have resulted from the same implement being used to mix SAWPIT SUCCESSOR's food after Vera's on race day, or from the greyhound eating a teaspoonful of Vera's food from her bowl or which had been dropped onto the worktop, or from licking the spoon used to mix her food or from licking the empty bowl before it was washed up. Equally, the PPA level detected could have come from SAWPIT SUCCESSOR licking Vera's urine after lunchtime on the day of the race.

The report produced by Mr Hunt and Mr Jones argued that the high proportion of PPA to ephedrine detected in the sample meant that SAWPIT SUCCESSOR must have had access to PPA and that the detection of ephedrine must have been the result of a mistaken test analysis, or because ephedrine had metabolised from the PPA, either in the dog or by bacterial action in the urine sample, or because the Urilin PPA preparation was contaminated with small amounts of ephedrine.

The Committee heard that Professor Morris had written his initial report to the Committee on 1 February 2017. In this report, Professor Morris had explained that PPA and ephedrine were quite distinct substances with distinct chemical structures. PPA was excreted almost unchanged in a dog's urine and there was no scientific evidence that PPA metabolised to ephedrine. While ephedrine is not a metabolite of PPA, the major metabolic pathway for ephedrine was degradation by demethylation to PPA. Professor Morris had found no evidence to suggest that the PPA product Urilin was contaminated with ephedrine. The estimated concentration of ephedrine in SAWPIT SUCCESSOR's sample had been 120 pg/ml, while the estimated concentration of PPA was 85 ng/ml.

Professor Morris had concluded that the more likely source of ephedrine and PPA in SAWPIT SUCCESSOR was exposure to ephedrine, with its subsequent metabolism to PPA in the greyhound and the excretion in the urine of higher amounts of PPA and lower amounts of ephedrine.

The Committee heard that on the advice of Professor Morris, a bottle of Urilin was purchased and analysed by LGC laboratories. That analysis had found a trace level of ephedrine was present but that this had been less than 0.0004% of the level of PPA. In a second report to the Committee dated 24 March 2017, Professor Morris observed that the ephedrine present in the sample of urine had been 1/700 of the PPA present, whereas the ephedrine present in the sample of Urilin had been 1/250,000 the level of PPA. Professor Morris concluded (as he confirmed to the Committee) that it was more likely than not that Urilin was not the source of the ephedrine found in the urine sample taken from SAWPIT SUCCESSOR.

Mr Hunt had responded to Professor Morris's second report by obtaining a further report from Mr Jones. In that report, submitted to the Committee, Mr Jones argued that the level of ephedrine found as a contaminant in the sample of Urilin meant that the ephedrine in SAWPIT SUCCESSOR's sample could have come from that product. Mr Jones calculated on the basis that only 4% of the contaminating ephedrine would metabolise into PPA, and on the basis that the time taken for half of the drug to appear in the urine from the blood (the "half-life" of ephedrine) was 16 hours. Over time after exposure to the Urilin, the level of ephedrine in the greyhound's urine would increase in proportion to the level of PPA. Applying this calculation, Mr Jones submitted the amounts and proportions of ephedrine and PPA detected in the urine sample were consistent with SAWPIT SUCCESSOR being given the dog Vera's dose of Urilin at feed time the day before race day. He added that it was also not known whether Urilin in batches other than the batch from which the bottle LGC had analysed had come might not be contaminated with higher levels of ephedrine.

In response, Professor Morris's evidence to the Committee was that this was not a valid explanation and that the mechanism and calculation proposed by Mr Jones was crucially flawed. It was incorrect to say that only 4% of ephedrine was metabolised into PPA in the greyhound's body. The evidence was that around 60% was. The half-life of ephedrine was not 16 hours. The scientific evidence was that it was 30 to 60 minutes.

As for the likely level of ephedrine contamination in bottles of Urilin, it was Professor Morris's evidence that quality control requirements and procedures in the pharmaceutical industry made it unlikely that contamination would occur at significantly higher levels than the negligible 1/250,000 of the level of PPA found in the tested sample and very unlikely to occur at a level that would explain the 1/700 of the level of PPA found in SAWPIT SUCCESSOR's urine sample.

Professor Morris also addressed the suggestion the ephedrine detected in the urine sample could have been the result of PPA degrading to ephedrine in the urine. He knew of nothing that indicated that this was a possibility. It was unlikely that PPA would degrade into ephedrine when ephedrine had a more complex molecular structure than PPA.

Mr Hunt told the Committee that he accepted that the sample taken from SAWPIT SUCCESSOR had tested positive for the presence of ephedrine and PPA and that because there was strict liability under the rules, he had to take responsibility as the trainer. But he said he knew that nothing had been given to the greyhound. He had tried to find out what the source of these substances was. The only explanation he had found was that it had come from the Urilin given to his German Shepherd pet, Vera. Sawpit Successor was a greedy dog, who could have taken food or licked another dog's bowl. He did not think it likely that his kennelhand had made a mistake so that SAWPIT SUCCESSOR got the wrong bowl or the dose of Urilin was put in his food. He had thought it most likely that SAWPIT SUCCESSOR had been contaminated from licking the other dog's urine.

Mr Hunt said that it was his conviction that the amount of the substances detected showed they could have had no effect on the greyhound's performance and had not been given in an attempt to alter the performance of the greyhound. Nor, in his view, could they have affected the greyhound's welfare. He said he would never administer a prohibited substance to affect performance or to hurt a greyhound. This was the only case of a positive test that he had ever had to answer for. He said he

was mortified to find himself being bracketed as a trainer who had attempted to alter a greyhound's natural performance through the administration of a prohibited substance.

The Committee found that on the scientific evidence as explained by Professor Morris, it was more likely than not that the presence of ephedrine and PPA in the sample taken from SAWPIT SUCCESSOR had not come from the Urilin used to medicate Mr Hunt's pet German Shepherd, Vera, whether from her food or from her urine.

However, the Committee were not persuaded that this meant Mr Hunt had either administered or allowed either ephedrine or ephedrine and PPA to be administered to SAWPIT SUCCESSOR. The source of the prohibited substances remained unknown. It was possible that somebody else may have administered ephedrine, or there may have been an inadvertent administration of ephedrine from the widely available and widely used human medications containing ephedrine. The Committee found Mr Hunt to be an honest and credible witness when he said he had not and never would administer a prohibited substance to affect a greyhound's performance or in contravention of GBGB rules.

Accordingly, the Committee found Mr Hunt in breach of Rule 174 (1) (b), as he had admitted was the case. He was also necessarily in breach of Rules 152 (i) and 217.

The Committee were told that Mr Hunt had an impeccable disciplinary record in his career as a trainer both since being licensed by the GBGB and before that when licensed by the National Greyhound Racing Club.

The Committee ordered that Mr Hunt be cautioned and fined £250.

2. Yarmouth Stadium – STERLING QUEEN – Professional Trainer Mr D Ward

Professional Trainer David Ward was found in breach of rules 2, 49, and 152 (i) and (ii) by his failure to have full regard for the welfare of the greyhound STERLING QUEEN and ensure its needs were met to the extent required by good practice in a trial at Yarmouth Stadium on 27 April 2017 and by his behaviour on being informed that the greyhound STERLING QUEEN had whelped.

Mr David Ward was not in attendance. He apologised by letter that a medical condition made it inadvisable for him to attend. The Racing Manager at Yarmouth Stadium, Mr Marcus Westgate, and Area Stipendiary Steward Adrian Smith were in attendance.

The Committee heard that on 7 July 2017 Area Stipendiary Steward Adrian Smith held a local inquiry into the performance of the greyhound STERLING QUEEN, trained by Mr David Ward ("Mr Ward"), in a solo trial at Yarmouth Stadium on 27 April 2017. The local inquiry was also held to inquire into Mr Ward's behaviour when he had been informed that STERLING QUEEN had whelped a litter of five pups on 29 May 2017. The local inquiry had a statement from the owner of the greyhound, Mr Adrian Ward ("the Owner", no relation of Mr Ward) and a letter from the Racing Manager, Mr Westgate. Mr Ward did not attend. He sent a letter dated 6 July 2017 which had been received on the morning of the local inquiry, in which he had explained that he was suffering from a severe medical condition and had been

advised not to attend. Area Stipendiary Adrian Smith had decided to refer the matter to be heard by the Disciplinary Committee.

A result sheet from Yarmouth Stadium for 15 March 2017 was produced for the Committee which showed that STERLING QUEEN had been withdrawn from the 8th race on that day because she had come into season.

The Committee heard that some six weeks later, on 27 April 2017, STERLING QUEEN had solo trialled over 462m, recording a calculated time of 31.21 seconds. Her best recent time had been 29.40 seconds on 1 March 2017. This represented a drop in excess of 20 lengths.

On 30 May 2017 Area Stipendiary Steward Adrian Smith had received a telephone call from Mrs C Ward, the mother of STERLING QUEEN's owner, telling him that the greyhound had whelped a litter of 5 pups on the night of 28/29 May 2017. They had collected the greyhound from Mr Ward's kennels on 30 April 2017, but had had no idea that she was pregnant. Mrs Ward had said that when her son, the owner, had contacted Mr Ward on 30 May 2017 to find out how this had happened, Mr Ward had told him to put the pups in a bucket of water and had then put the phone down.

In his statement to the local inquiry, the owner said he had phoned Mr Ward's kennels on 29 April 2017 to find out how the greyhound had got on in the trial two days before. On 30 April 2017 he had taken STERLING QUEEN away from the kennels. On 30 May 2017 he had been informed that she had whelped 5 pups. He had telephoned and spoken to Mr Ward and asked who the greyhound had been kennelled with, because she had just had 5 pups. He said Mr Ward had responded that he had not known that STERLING QUEEN had been in season and had said "If there are pups, put them in a bucket of water".

In his letter to the local inquiry, Mr Ward said that when the owner had telephoned and told him about the pups, he had reacted angrily because of serious issues between a relation of the owner and Mr Ward's daughter, and because he had never been paid for STERLING QUEEN's keep and he and his wife had been verbally abused and threatened when the greyhound had been taken away from his kennels. What he had said about putting the pups in a bucket of water had been a figure of speech and he had not meant it. He wrote that he was an animal lover and had offered to look after STERLING QUEEN and the pups, but only if the owner paid for their keep.

Mr Ward said in his letter that STERLING QUEEN had been five weeks in season when she trialled on 27 April 2017. She had not put on weight and he had not known she was pregnant. The track veterinary surgeon had not queried her running. Mr Ward said the bitch had been removed from the kennel she had been sharing with a dog the day after she had come into season and had not been put back until four weeks later.

In a letter dated 2 June 2017 to Area Stipendiary Steward Adrian Smith, Racing Manager Mr Marcus Westgate wrote that he had telephoned Mr Ward after speaking with Mr Smith on 30 May 2017 about STERLING QUEEN and whether the pups could be found homes through the Yarmouth Stadium Homefinders scheme. He wrote that in that call Mr Ward had acknowledged that he had said to the owner that he should drown the puppies in a bucket of water and that Mr David Ward had reiterated to him that this was the best thing that the owner could do.

In evidence to the Committee, Mr Westgate said that Mr Ward had definitely confirmed to him that he had told the owner he should put the pups in a bucket of water. Mr Westgate confirmed that Mr Ward had said that he really did think this was the best thing the owner could do, and it seemed to Mr Westgate that Mr Ward meant it. In Mr Westgate's view, this was an inexcusable thing for Mr Ward to say. Mr Ward had not said anything to him about being prepared to look after the greyhound or her pups.

The Committee heard that Yarmouth Stadium had decided to cut its ties with Mr Ward. On 1 June 2017 it had written to Mr Ward terminating his trainer's contract with immediate effect.

Area Stipendiary Steward Adrian Smith told the Committee that even on Mr Ward's case that he isolated STERLING QUEEN the day after she came in to season, there was no excuse for the greyhound getting pregnant. Mr Ward had been told she was in season when she was withdrawn from the race on 15 March 2017. When a trainer has been told a bitch is in season, there is no excuse for keeping her kennelled any longer with a dog.

The Committee found that STERLING QUEEN had whelped a litter of five pups on the night of 28/29 May 2017. It followed that she had conceived on or about 28 March 2017. That was some 13 days after she had been withdrawn by the track veterinary surgeon from the 8th race on the card at Yarmouth Stadium on 15 March 2017, from which point Mr Ward knew she was in season and should have immediately isolated her from dogs.

Mr Ward claimed that he had isolated STERLING QUEEN the day after she came into season, which would have been too late in any event, and did not put her back with a dog for four weeks. But that could not be true, given that she conceived on or about 28 March 2017.

The Committee found that by failing to isolate STERLING QUEEN, Mr Ward was in breach of Rule 2 of the GBGB Rules of Racing, in that he failed to have full regard to greyhound welfare and to ensure that the greyhound's needs were met to the extent required by good practice, including the need for a greyhound bitch in heat to be housed apart from other animals. He was necessarily also in breach of Rule 152(i).

The Committee also found that Mr Ward was in breach of Rule 49 of the GBGB Rules of Racing and Rule 152 (i) by failing to use his best endeavours to ensure STERLING QUEEN'S performance was to the satisfaction of the Local Stewards in her trial at Yarmouth Stadium on 27 April 2017. In the circumstances, it was clear the greyhound had not trained and properly prepared for the trial.

Most seriously, Mr Ward was in breach of Rule 152 (ii) by his behaviour when he was informed that STERLING QUEEN had whelped.

The Committee found that Mr Ward had said to the greyhound's owner that if there were pups, he should drown them in a bucket of water and that this was the best thing he could do. The Committee did not accept that this had been a "figure of speech" or that Mr Ward had not meant the owner to think he was really suggesting the pups should be drowned. The Committee found that Mr Ward had told Racing Manager Mr Marcus Westgate the same, that he thought the owner should drown the pups, and that he had intended Mr Westgate to think he meant it.

The Committee was prepared to give Mr Ward the benefit of the doubt and accepted that Mr Ward did not believe that the owner would in fact act on his suggestion and drown the pups and also

accepted that Mr Ward would not himself have drowned these pups and would not in fact drown any pups. Nevertheless, drowning pups in these or any circumstances was an abhorrent and entirely unacceptable practice. Appearing to advocate or condone it was unacceptable and serious professional misconduct. By apparently advocating it to the owner of STERLING QUEEN and to the Racing Manager Mr Marcus Westgate, Mr Ward had made statements and had acted in a manner seriously prejudicial to the integrity, proper conduct and good reputation of Greyhound Racing.

The Committee heard that Mr Ward had been previously found in breach of Rules 152 (i) and (ii) and 174 xi in that in July 2013 he had caused or permitted two greyhounds (that had been taken into the care of the Retired Greyhound Trust) to be treated with cruelty or in a manner causing or likely to cause them unnecessary suffering. Mr Ward had received a severe reprimand and had been fined £3,500.

In light of this previous record, the Committee had no hesitation in ordering that for the breaches of Rules 2, 49 and 152 (i) and (ii) Mr Ward's licence be withdrawn for a period of 12 months. There would be no financial penalty.

The Committee were pleased to hear that all STERLING QUEEN'S pups had been found homes through the Yarmouth Stadium Homefinders scheme and expressed appreciation to Yarmouth Stadium.

The Committee urged the Board to offer support to Mr Ward in the 12 months withdrawal period and urged Mr Ward to cooperate with the Board to ensure the welfare of the greyhounds currently in his care. The Committee observed that the Board would have to be fully satisfied that adequate conditions and standards of care were in place before any application by Mr Ward for his licence to be restored was granted.