

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 7 November 2017:-

Mr K Salmon (in the chair)

Mr R Coughlan

Mr M Elks

1. Hall Green Stadium – KETTLE OF FISH – Professional Trainer Mr S Deakin

Professional Trainer Simon Deakin was found in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound KETTLE OF FISH at Hall Green Stadium on 20 May 2017 was analysed by LGC Health Sciences as containing the presence of theophylline.

Mr Deakin was in attendance. Martin Seal, representative of GRA, apologised for his non-attendance. Paula Clare, stipendiary steward, and Professor Tim Morris, independent scientific adviser were in attendance.

On 20 May 2017 at Hall Green Stadium a post-trial urine sample was taken from KETTLE OF FISH, a greyhound trained by professional trainer Mr Simon Deakin which when analysed by LGC identified the presence of theophylline.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, to the effect that theophylline as a mental and cardiac stimulant and bronchodilator is a substance which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

Professor Morris was clear that the likeliest source of theophylline was caffeine, with theophylline being a metabolite of caffeine. Given the comparative levels of caffeine and theophylline in the sample Professor Morris was of the view that caffeine had been administered between 2 and 6 hours prior to sampling.

Mr Deakin was adamant that neither he nor his staff administered caffeine to KETTLE OF FISH.

He gave evidence that on 20 May 2017 the racecourse kennels were not locked as they should have been, but left open so a third party could have had access to KETTLE OF FISH. Mr Deakin believes that such a person motivated by spite administered caffeine.

The Disciplinary Committee heard evidence that KETTLE OF FISH was taken to the track at about 5.30 pm. The sample was taken at 7.51 pm. It is therefore possible that caffeine was administered within the timeframe referred to by Professor Morris whilst KETTLE OF FISH was kennelled at the racecourse.

In those circumstances, the Disciplinary Committee cannot say on a balance of probabilities that Mr Deakin administered caffeine to KETTLE OF FISH.

Some of the GBGB Rules of Racing impose strict liability. The Disciplinary Committee therefore found Mr Deakin in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing.

In all the circumstances the Disciplinary Committee was content that no further action be taken against Mr Deakin.

2. Hall Green Stadium – BOLD GOGGY – Professional Trainer Mr K Whitehouse

Professional Trainer Kevin Whitehouse was found in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound BOLD GOGGY at Hall Green Stadium on 8 April 2017 was analysed by LGC Health Sciences as containing the presence of diclofenac.

Mr Whitehouse was unable to attend in person but participated by means of telephone conference. Martin Seal, representative of GRA, apologised for his non-attendance. Paula Clare, stipendiary steward, and Professor Tim Morris, independent scientific adviser were in attendance.

On 8 April 2017 at Hall Green Stadium a pre-race urine sample taken from BOLD GOGGY trained by professional trainer Mr Kevin Whitehouse which when analysed by LGC identified the presence of diclofenac.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific advisor, that diclofenac is widely used as a human medical drug and is chemically in the class of drugs described as Non-Steroidal Anti-inflammatory Drugs (NSAIDs) and as such in the opinion of Professor Morris it is a substance which could affect the performance or prejudice the wellbeing of a greyhound.

Mr Whitehouse told the Disciplinary Committee that he uses Voltarol® gel to treat arthritis in his hands, wrists, elbows, and for back problems. Professor Morris confirmed that Voltarol® contains diclofenac.

Mr Whitehouse was adamant that he did not deliberately administer voltarol/diclofenac. The Disciplinary Committee accepted that evidence.

Mr Whitehouse explained that after using Voltarol® gel he took great care to wash his hands. The Disciplinary Committee accepted that evidence. He was also aware of the guidance used by GBGB regarding the use of NSAID gels, and did his best to comply with that guidance, however the Disciplinary Committee considered that the likeliest cause of this positive sample was accidental contamination involving Mr Whitehouse's Voltarol® gel.

Some of the GBGB Rules of Racing impose strict liability. Accordingly, the Disciplinary Committee found Mr Whitehouse in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing.

In all the circumstances of the case, the Disciplinary Committee was content that no further action be taken against Mr Whitehouse.

3. Kinsley Stadium – MARATHON RUNNER – Professional Trainer Mr R Harwood

Professional Trainer Ronald Harwood was found in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound MARATHON RUNNER at Kinsley Stadium on 31 March 2017 was analysed by LGC Health Sciences as containing the presence of a hydroxylated metabolite of phenylbutazone.

Mr Harwood was in attendance. Andrew Mascarenhas, racing manager of Kinsley Stadium, Pete Rosney, stipendiary steward, and Professor Tim Morris, independent scientific adviser were also in attendance.

On 31 March 2017 a pre-race urine sample was taken from MARATHON RUNNER, a greyhound trained by professional trainer Mr Ronald Harwood. Analysis by LGC indicated the presence of a hydroxylated metabolite of phenylbutazone.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, to the effect that phenylbutazone is available as a veterinary medicine for dogs and horses. It is chemically in the class of drugs described as Non-Steroidal Anti-inflammatory Drugs (NSAIDs) and as such is a substance which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

Professor Morris gave evidence that although it is possible that the hydroxyphenylbutazone found in the sample taken from MARATHON RUNNER originated from the administration of phenylbutazone to MARATHON RUNNER, it is more likely it originated from the ingestion of horse meat of unknown categorisation containing phenylbutazone and/or hydroxyphenylbutazone.

Mr Harwood had a DEFRA licence allowing him to receive only category 3 meat. He showed this licence to his horsemeat supplier who was therefore fully aware that he should only supply category 3 meat to Mr Harwood. In a letter dated 9 May 2017 Mr Harwood's horsemeat supplier states that he was "unaware of the horse history" and so he might have supplied meat from a horse or horses that had been treated with pain killers. The Disciplinary Committee noted the evidence of Professor Morris that the horsemeat supplier was under a duty to check that any horse bought for category 3 meat has a food chain declaration that it is free from veterinary medicines residues. Plainly the supplier had failed in that duty.

The Disciplinary Committee took the view that Mr Harwood had taken all reasonable steps to ensure he was supplied with category 3 meat, but the Committee would strongly advise that unless he receives a written guarantee that he will only be supplied with category 3 meat in future he ceases forthwith to obtain meat from his current supplier.

Some of the GBGB rules impose strict liability. The Disciplinary Committee therefore found Mr Harwood in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing.

In all the circumstances of the case, the Disciplinary Committee was content that no further action be taken against Mr Harwood.

4. Belle Vue Stadium – HAPPY MAN/TROMORA SONIC – Owner Trainer David Walsh & Owner Trainer Joshua Fitton

Owner Trainer David Walsh was found in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound HAPPY MAN at Belle Vue Stadium on 22 June 2017 was analysed by LGC Health Sciences as containing the presence of ketoprofen

Owner Trainer Joshua Fitton was found in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound TROMORA SONIC at Belle Vue Stadium on 22 June 2017 was analysed by LGC Health Sciences as containing the presence of ketoprofen.

Mr Walsh and Mr Fitton were in attendance. Scott Ellis, racing manager of Belle Vue Stadium, apologised for his absence. Pete Rosney, stipendiary steward, and Professor Tim Morris, independent scientific adviser were in attendance.

On 22 June 2017 at Belle Vue Stadium a post-trial urine sample was taken from HAPPY MAN, a greyhound owned and trained by Mr David Walsh. On the same date at Belle Vue Stadium a pre-trial urine sample was taken from TROMORA SONIC, a greyhound owned and trained by Mr Joshua Fitton. The said samples were both analysed by LGC and both were found to contain ketoprofen.

Mr Fitton is Mr Walsh's grandson, and both dogs were kennelled at Mr Walsh's premises.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, that ketoprofen is commonly used in animals and man, chemically it is in the class of drugs known as Non-Steroidal Anti-inflammatory Drugs (NSAIDs) used to relieve pain, reduce fever, and reduce inflammation. As an NSAID, ketoprofen is a drug which by its nature could affect the performance or prejudice the welfare of a greyhound.

In Professor Morris's professional opinion, the scientific findings would be compatible with feeding meat containing residue of ketoprofen, but other sources of ketoprofen are also possible.

Mr Walsh had kept greyhounds for over fifty years, and was responsible for the feeding of the greyhounds. He told the local inquiry and this Committee that the only possible explanation he could give was the feeding of contaminated meat. He was an honest man doing his best to assist the Disciplinary Inquiry, who told them that as soon as he was aware of these positive tests he changed his meat supplier. Given his evidence, and the fact that the scientific evidence is compatible with the feeding of contaminated meat, the Disciplinary Committee found on the balance of probability that contaminated meat was the source of the ketoprofen.

For his part, Mr Fitton was content to follow his grandfather's lead and at the local inquiry and before the Disciplinary Committee he bowed to his experience.

The Disciplinary Committee found both Mr Walsh and Mr Fitton in breach of rules 174 (i)(b) and 217 of the GBGB Rules of Racing which impose strict liability.

In all the circumstances, the Disciplinary Committee was content that no future action be taken against either Mr Walsh or Mr Fitton.