

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 16 November 2017:-

Mr K Salmon (in the chair)

Mr R Coughlan

Mr H Starte

1. Crayford Stadium – KELVA CAPTIN / MALTESER MAN – Professional Trainer Mr J Daly

Professional Trainer Jim Daly was found in breach of rules 2, 152 (i) & (ii) and Appendix II parts (10), (19), (23) & (25) of the GBGB Rules of Racing for failing to provide suitable transport arrangements between his kennel and Crayford stadium on 26 May 2017, resulting in the withdrawal of all his greyhounds that evening and immediate veterinary attention required for both KELVA CAPTIN and MALTESER MAN.

Mr Daly was in attendance accompanied by his kennelhand Katrina Johnson. Richard Brankley, authorised representative of Crayford Stadium, Angela Vickery, senior paddock steward and Paul Illingworth, senior stipendiary steward, were also in attendance.

On 26 May 2017 professional trainer Mr Daly sent 9 greyhounds from his kennel near Wisbech, Norfolk to Crayford Stadium, a journey which in ordinary circumstances takes about two and quarter hours. Friday, 26 May was the hottest day so far that year. Two kennelhands accompanied the dogs, Katrina Johnson and Roger Richardson. They were travelling in a hire van because the kennel van was being repaired. They set off at 1.30 pm, but encountered severe traffic problems and did not arrive at Crayford until approximately 5.30 pm. When the van was opened it was obvious that 2 greyhounds KELVA CAPTIN and MALTESER MAN were in a great deal of stress and required immediate veterinary attention. KELVA CAPTIN was collapsed, unable to lift his head, and had pinpoint pupils and a rectal temperature of 108.2f. MALTESER MAN was unsteady when he was taken from the van and his rectal temperature was 107.0f. The normal temperature for a greyhound is 101.5f. The Committee noted the veterinary evidence that brain damage can occur at a body temperature of 107, although due to the prompt and efficient action of the staff at Crayford, neither of those greyhounds seem to have suffered any long-term harm. As a consequence of these events, all Mr Daly's greyhounds were withdrawn from the card as a precaution.

To his credit, Mr Daly admitted all the breaches against him, however his account differed in one important regard from the evidence presented by GBGB.

He stated that he had connected the air-conditioning in the cab to the rear of the van with piping and duct tape. The kennelhands, in a joint statement stated, "there was air-conditioning in the front part but not in the back where the greyhounds are". Both kennelhands signed that statement. Mr Richardson did not attend the inquiry, but Miss Johnson gave evidence. She stated that she signed the joint statement without reading it, because she thought she would be given the opportunity to make her own statement. She also stated that Mr Richardson did all the talking and she did not interrupt or contradict him. She had now made a further statement. In that statement she stated

that there was air-conditioning as described by Mr Daly. The Disciplinary Committee was not willing to say that Mr Daly and Miss Johnson were lying and on a balance of probability found that Mr Daly did attempt to connect the air-conditioning in the cab to the back of the van, but it was plain that arrangements were wholly inadequate, a fact which ought to have been apparent to Mr Daly.

Further to that, the van was plainly unsuitable for the transport of greyhounds, being black, of 'bulkhead' design and without a properly designed and fitted air-conditioning system. Neither kennelhand had received any proper training in the transport of greyhounds, and they had not been shown the calendar notice of 5 May 2017 about treating and preventing overheating of greyhounds. The van was inadequately supplied with drinking water. There was a 1½ litre bottle of water, and there may have been some water in bowls. It was plain that the water supply ran out long before the journey was over, and Mr Daly had taken no proper steps to prevent this.

It was open to Mr Daly to withdraw his greyhounds, but instead he recklessly chose to transport them in an obviously unsatisfactory manner.

The Disciplinary Committee regarded these as extremely serious breaches, indeed it was hard to imagine any more serious welfare breaches in the absence of wilful cruelty.

The Committee carefully considered whether to withdraw Mr Daly's licence and on balance felt that nothing less than withdrawal met the circumstances of this case.

However, in light of the mitigation, namely that Mr Daly had purchased 2 new air-conditioned vans, and assurances that he had learnt the importance of giving his staff adequate training and instruction, together with the character references, the Committee were willing to suspend that disqualification.

The Disciplinary Committee ordered that Mr Daly's licence be withdrawn for 2 years, suspended for 2 years. In addition, they ordered him to pay a fine of £5,000.

2. Harlow Stadium – ROXHOLME CHEZZA – Professional Trainer Mr F Gray

Professional Trainer Frank Gray was found in breach of rules 152 (i), 174 (i)(b), 216 and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound ROXHOLME CHEZZA at Harlow Stadium on 18 July 2017 was analysed by LGC Health Sciences as containing the presence of lidocaine and 3-hydroxylidocaine.

Mr Gray was not in attendance. Mark Schellenberg, racing manager of Harlow Stadium, apologised for his non-attendance. Adrian Smith, stipendiary steward and Professor Tim Morris, independent scientific adviser were in attendance.

On 18 July 2017 at Harlow Stadium a pre-race urine sample was taken from ROXHOLME CHEZZA a greyhound trained by professional trainer Mr F Gray. Analysis by LGC identified the presence of lidocaine and 3-hydroxylidocaine.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, to the effect that lidocaine is a local anaesthetic and as such is a substance which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

Professor Morris was clear in his evidence that lidocaine had passed through the greyhound's system. As a medicinal product it should not have been administered without veterinary advice.

On 26 September 2017 Mr Gray told the local inquiry that one of his kennelhands had administered Vagisil® cream to treat urine burns, but had done so without his knowledge. At the time he declined to name the kennelhand. On 17 October 2017 kennelhand Carra Wilson made a statement admitting that she had bought and applied Vagisil® without Mr Gray's knowledge.

Neither Mr Gray or Ms Wilson have attended this inquiry. The Disciplinary Committee found Mr Gray's non-attendance particularly unhelpful.

The Committee considered the account given by Mr Gray. With considerable reservations, they could not reject his account on a balance of probability.

In those circumstances the Disciplinary Committee considered whether Mr Gray "allowed" the administration of lidocaine within the meaning of rule 174 (i)(a), but they came to the view that "allow" in this context means "knowingly allow" as so found Mr Gray in breach of rules 152 (i), 174 (l)(b), 216 and 217.

The Disciplinary Committee was astounded that Mr Gray's training, supervision and management of his staff was so lax that this situation had been allowed to arise. They were also surprised to note that Ms Wilson was still employed by him. They were of the view that his management of his kennel can properly be described as negligent.

Mr Gray had failed to attend and the Disciplinary Committee could discern no mitigation in this case. In those circumstances they ordered that Mr Gray be severely reprimanded and fined £1,500.

3. EXCHANGE DYLISS – Retirement information

Professional Trainer Mark May was found in breach of rules 18 (i) & (ii), 152 (i) & (ii), 174 (vi) and 174 (xiv)(a) of the GBGB Rules of Racing in respect of retirement information submitted for the greyhound EXCHANGE DYLISS.

Mr May was in attendance together with Craig Hunt, racing manager of Kinsley Stadium, Mark Siddall, Kinsley owner and trainer association representative and Chris Hufton, GBGB investigations officer. Eric Armstrong, registered owner, was not in attendance.

On 4 May 2017 the Claret & Amber Racing syndicate submitted a retirement form for EXCHANGE DYLISS, a greyhound owned by that syndicate and trained by Mark May. Mr Armstrong is the head of the syndicate. Upon investigation, the person named as the new owner denied all knowledge of EXCHANGE DYLISS, and said that he knew neither Mr Armstrong nor Mr May.

On 4 May 2017 Mr May told Chris Hufton, GBGB investigations officer, that he could remember very little about the greyhound and had no idea where it had gone.

On 13 June 2017, when Mr Hufton spoke to him a second time, Mr May admitted that he had sent Mr Armstrong a text naming the new owner. He stated that he did not know the whereabouts of the greyhound.

By an undated letter to Kinsley Stadium, Mr May now stated that EXCHANGE DYLISS was killed in an accident in late February whilst it was being exercised. He stated it chased a hare and fell to its death in a 20-foot ditch. He said he panicked and incinerated the body.

On that basis he admitted all the breaches against him. GBGB accepted those admissions and therefore discontinued the case against Mr Armstrong.

Mr May's explanation was that he panicked when the dog was killed because he did not want to alienate Mr Armstrong, who was one of his biggest owners at the time.

Mr May had lied to Mr Armstrong about the whereabouts of EXCHANGE DYLISS, and had lied twice to Mr Hufton. He now provided the Committee with an explanation which they could not and did not believe. The Committee could not say what happened to this greyhound, but they were satisfied that Mr May was not being truthful, maybe because he was trying to protect himself or a third party.

The Disciplinary Committee regarded these as very serious breaches. Accurate record keeping was central to GBGB's successful operation. Mr May had treated those systems with contempt.

The least penalty the Committee could impose was a period of disqualification of 12 months.

However, they noted that, notwithstanding those breaches, Mr May had a commendable record for rehoming retired greyhounds. He had also produced glowing references. Craig Hunt, racing manager of Kinsley Stadium regarded these breaches as wholly out of character.

In those circumstances the Disciplinary Committee was willing to suspend the disqualification for a period of 12 months. They also ordered that he be fined £2,500.