

## **CALENDAR NOTICE (to be published 26 January 2018)**

### **Disciplinary Committee Inquiries**

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 9 January 2018:-

Mr H Starte (in the chair)

Mr R Coughlan

Mr M Elks

#### **1. Shawfield Stadium – TRISTAR – Greyhound Trainer Mr W Rae**

Greyhound Trainer William Rae 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 TRISTAR at Shawfield Stadium on 6 October 2017 was analysed by LGC Health Sciences as containing the presence of benzoylecgonine.

Mr Rae was in attendance by video call from Shawfield Stadium, as were Daniel Rankin, Racing Manager at Shawfield Stadium, and Alex McTaggart, Stipendiary Steward. Professor Tim Morris, independent scientific adviser, was in attendance.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, that benzoylecgonine is a metabolite of cocaine. Cocaine is not available as a veterinary drug and has very limited human medical use. It is a Class A Schedule 2 Controlled Drug principally sourced from criminal supply and used as a drug of abuse. Cocaine and benzoylecgonine affects dogs as it does other animals and people, stimulating the brain and nervous system. Significant reduction in heart function has been reported in dogs given cocaine. Cocaine and benzoylecgonine are substances which by their nature could affect the performance and prejudice the wellbeing of a greyhound.

Professor Morris's evidence was that the level of the metabolite found in TRISTAR's sample was what would be expected if the dog had been given a clinically significant dose of cocaine (i.e. sufficient to have an effect on the greyhound some 72 to 124 hours before the sample was taken). Professor Morris explained that, because benzoylecgonine was also a metabolite of cocaine in people, it was also possible that TRISTAR or the sample had been exposed directly to the metabolite from a person's urine. Any significant concentration of human urine in the sample would have been detected by the laboratory. Contamination from human urine was a very much less likely explanation and it was far more likely that the greyhound has been exposed to cocaine. The greyhound may have been exposed to a larger dose longer before the sample was taken or to a more recent, smaller, clinically insignificant dose.

The Manager for Integrity and Welfare Services Duncan Gibson told the Committee that no hair sample had been taken for testing from TRISTAR as would normally have happened. This was because the greyhound had been sold by Mr Rae before the positive urine sample result. In the hearing, Mr Rae explained that he had put the greyhound up for sale in the week before 6 October 2017. It had been sold a week later, going to a trainer at Henlow.

Stipendiary Steward Alex McTaggart told the Committee this had been a random pre-race sample, not taken from TRISTAR for any reason. The greyhound had run very well, recording an adjusted time of 29.93. The week before it had recorded an adjusted time of 29.89. The greyhound had been a very consistent performer. Mr McTaggart said that Mr Rae was a very experienced trainer. There had never been any issues giving rise to concern about the welfare of his greyhounds or the consistency of their performance.

In his statement to the local inquiry and his evidence to the Committee, Mr Rae said he lived on an estate in a block of 4 maisonettes. The block had a garden shared by the 4 properties. It was bordered by a main road on one side and a side street off this main road along the bottom of the garden. The sale and taking of illegal drugs was rife on the estate.

Mr Rae said he kept his greyhounds in a kennel at the bottom of the shared garden. There was a run that was not covered but was fenced in and kept padlocked. His greyhounds were always muzzled when in the run. The garden was enclosed by 8 foot-high fencing. That would not have kept out the kind of people involved with drugs that hung around the area out of the garden if they wanted to get in. But Mr Rae did not think anyone could have got into the kennel without him knowing.

On 6 October 2017 Mr Rae had taken three greyhounds including TRISTAR to Shawfield Stadium, travelling with his nephew Mr Thomas Jordan, also a licensed owner trainer. Until a few months before, Mr Jordan had been a kennelhand for Mr Rae. Since then, Mr Rae said, he had been the only person who handled TRISTAR at the kennel. He said he had one neighbour in the 4 maisonette block who he thought acted as if he was a substance abuser. On occasions that neighbour had been in the garden and had patted Mr Rae's greyhounds. But Mr Rae could not say that this had happened around the time of the sample.

Professor Morris told the Committee that being patted by a cocaine user was a very unlikely explanation for the positive test result on the sample taken from TRISTAR. If the greyhound had licked the empty "wrap" in which cocaine is commonly sold to users or had deliberately been given a finger dusted with cocaine to lick, that would be a realistic and far more likely explanation.

Mr Rae told the Committee he exercised his greyhounds by walking them in a park about half a mile from his home. This park was also a haunt of drug users. He always kept his greyhounds on leads and muzzled.

Daniel Rankin, Racing Manager at Shawfield Stadium, told the Committee that he knew and played football at the park where Mr Rae exercised his greyhounds. He could confirm the park was much used by drug abusers. Mr Rankin said he had known Mr Rae for 14 years at Shawfield Stadium. His greyhounds had always run consistently and there had never been a problem with him as a trainer.

The Committee found that TRISTAR's positive sample was the result of the greyhound being exposed to cocaine. The other possible explanation, that it had been caused by contamination from the urine of a human cocaine abuser, was unreal.

It was hard to explain how cocaine had got into the greyhound if Mr Rae did not administer it or allow it to be administered to the greyhound. Mr Rae had his suspicions, for what they are worth, about his neighbour who had patted his greyhounds. But this was not definitely in the relevant period and on Professor Morris's evidence it would in any event have been extremely unlikely to cause the positive test result. It is hard to see what opportunity there was for TRISTAR to lick a cocaine-dusted hand or wrap either when being walked on a lead and muzzled, or when muzzled in the padlocked run in Mr Rae's garden. But set against this were the glowing references from both Mr McTaggart and Mr Rankin for Mr Rae for his care for his greyhounds and his integrity as a trainer. Everyone agreed that TRISTAR's performance had been very consistent leading to 6 October 2017, contradicting any suspicion that this was a case of the greyhound being given a drug to improve its performance while putting it up for sale.

The Committee found Mr Rae to be an honest witness in his evidence at the hearing and in his statements to the local inquiry. It was also strongly influenced by the character evidence for Mr Rae given by Mr Rankin and Mr McTaggart. It remained a mystery how cocaine got into TRISTAR, but the Committee could not find on the balance of probability that this was the result of Mr Rae administering the drug to the greyhound himself or knowingly allowing it to be administered. Accordingly, it found that Mr Rae was in breach of Rules 152 (i), 174 (i) (b) and 217 of the GBGB Rules of Racing.

As to penalty, the Committee accepted Mr Rae's evidence on the security of his kennel and how he kept his greyhounds, including TRISTAR, both in the kennel and when exercising them and it acknowledged that he had taken most precautions that could reasonably be expected for the security of his greyhounds. Nevertheless, something has gone seriously wrong when it is found that a greyhound has been exposed to cocaine. The Committee ordered that Mr Rae be reprimanded and fined £500.

## **2. Monmore Green Stadium – REVERSE BACKWAYS – Registered Owner Mr A Winsper**

Registered owner Mr Alan Winsper was found in breach of Rules 2, 18 (i) and 152 (i) and (ii) in that he unnecessarily caused the greyhound REVERSE BACKWAYS to be euthanased at Monmore Stadium on 21 April 2017.

Mr Alan Winsper and Mr Pete Rosney, Stipendiary Steward, and Mr Thomas Faulkner, Assistant Trainer, were in attendance. Mr Nigel Walpole, veterinary surgeon, and Mr Paul Webster, Professional Trainer, gave evidence by telephone.

The Committee heard that a local enquiry had been held by Stipendiary Steward Pete Rosney on 14 August 2017 into the circumstances in which the greyhound REVERSE BACKWAYS had been euthanased at Monmore Green Stadium on 21 April 2017. The greyhound had been put to sleep by the track vet, Mr Nigel Walpole, at the request of Registered Owner Mr Alan Winsper, acting on behalf of the owner, the Hughes Corporation syndicate.

The Manager for Integrity and Welfare Services, Duncan Gibson, told the Committee that Mr Winsper, although claiming at the local inquiry to be a member, was not registered as the person nominated by the syndicate to be responsible for all matters as the Owner for the Hughes Corporation syndicate under the GBGB Rules of Racing. Mr Gibson also told the Committee that the Hughes Syndicate had

not appointed and registered Mr Winsper as its Authorised Agent, empowering him to act for it, as it could do under Rule 14. However, in a letter to Mr Gibson from the syndicate's nominated person, Ms Carol Ann Hughes, she had written that Mr Winsper had at all times been authorised to act in all matters regarding any of "my or my family's" greyhounds.

The local inquiry established that REVERSE BACKWAYS had been put to sleep at Monmore Green Stadium by the track vet, Mr Nigel Walpole, at the request of Mr Winsper, a former licensed Greyhound Trainer, after the greyhound had run poorly, finishing last in an S4 contest with a calculated time more than a second slower than its best previous effort over the distance three weeks earlier. The officiating Deputy Racing Manager at Monmore Green, Mr Paul Johnson, had asked that the track vet check REVERSE BACKWAYS and another greyhound that had run poorly, TARANIS BEAR.

Mr Walpole's entry for REVERSE BACKWAYS in the track vet's diary recorded only "tooth infection". In a statement to the local inquiry, Mr Walpole said the greyhound had been euthanased following a series of poor races in which it had checked on the bends. He said that he recorded "tooth infection" because Mr Tom Faulkner, the Assistant Trainer at Mr Mel Baker's kennels responsible for the greyhound that evening, had told him the greyhound was head shy because of painful teeth which may be affecting his performance, but that the teeth had looked in reasonable condition to him. However, in a letter to the GBGB dated 1 January 2018 Mr Walpole acknowledged that REVERSE BACKWAYS had been given dental treatment by his practice 2 months before.

Contradicting Mr Walpole, in his statement to the local inquiry Mr Faulkner said that before he was asked to take REVERSE BACKWAYS to the vet for examination he had noticed blood in the greyhound's gums where its teeth had gone rotten. He had gone to Mr Walpole to ask him to look at the teeth and Mr Walpole had agreed it would be best to take the teeth out. Mr Faulkner said he then spoke to Mr Winsper who said the teeth had already been looked at by Mr Walpole's veterinary partner, Mr Tom Bingham, who had said they just needed a good clean. Mr Winsper had asked if Mr Faulkner noticed REVERSE BACKWAYS would not run in front of the crowd and had said the greyhound would not be any good if he could not run in front of crowds.

Mr Faulkner stated that in the vet's room Mr Winsper had said to him it might be better to put the greyhound to sleep because it was nervous. Mr Faulkner said he responded that they should send the greyhound to run at Perry Barr, as they did not get crowds at the BAGS meetings there. Mr Winsper had replied that it would be unfair to give a nervous dog to another trainer. Mr Faulkner said he had left REVERSE BACKWAYS with Mr Winsper and the vet. When he returned to the vet's room later, the greyhound had been put to sleep.

Stipendiary Steward Pete Rosney told the Committee it was most unusual for a greyhound to be euthanased at the race track for no reason other than that it was considered unsuitable for rehoming. He had never come across this happening before. Usually a decision that a greyhound should be euthanased because there was no other option would be taken after consideration over a period of time.

In his evidence to the local inquiry, Mr Winsper said he had bought the greyhound dog in January 2017 for £100 from Mr Paul Webster, a Professional Trainer attached to Belle Vue Stadium, after being told it was for sale and watching it race. Mr Faulkner had kept him updated about the greyhound after it went to Mr Mel Baker's kennels. He said he was told the greyhound cowered away from people and

that its mental state was “questionable”. It was clear it was “a difficult dog” and “unlikely to change”. He had been aware the greyhound had a hole in one of its teeth, but that this was all that needed looking at. He said that on 21 April 2017 he had asked Mr Walpole to “check the dog out”, not for its teeth but because it had run badly. He said he had explained the greyhound was “skittish” and appeared to have “a mental phobia”, that it was “a danger to others” and that he thought the best course was to put it to sleep.

In his evidence to the Committee, Mr Faulkner explained he did not work day-to-day running the block where REVERSE BACKWAYS was kept but he had regular contact with the greyhound and had been aware of how it was behaving. He said the greyhound’s teeth must have been neglected before it came to the kennels, where it was given dental treatment some 26 days after arriving. One tooth had decayed right the way through and the other about 75% through. The greyhound suffered distress from its teeth. They were sore and there was bleeding. This had continued after the dental treatment that had been given by the Walpole and Bingham veterinary practice on 23 February 2017. Food got stuck in its teeth.

Mr Faulkner said that the greyhound would cower away from people and animals, acting as if spooked. It could not be walked. He said it had never been aggressive towards him but he was told it had nipped kennelhands, although it had never actually bitten them. He said that when he had returned to the vet’s room on 6 October 2017 he had been shocked that the greyhound had been put to sleep, although he had not, he said, been disappointed or upset. REVERSE BACKWAYS was not a greyhound that he would want to re-home. It had been unpredictable. There was no reason, he said, why it would not snap at children or run away from an old person who would not be able to catch it.

Mr Faulkner’s description of REVERSE BACKWAYS was startlingly different from the description of the same greyhound given by its previous owner, Professional Trainer Paul Webster, both to the local inquiry and to the Committee. He said that at his kennels the greyhound had been kennelled unmuzzled with a bitch. It was a nice, straightforward greyhound with one quirky characteristic, that it always came out backwards when taken from its kennel (hence its name). It didn’t cower away. It showed no fear or phobias towards humans or other dogs; quite the opposite. It displayed no tendency to bite anyone. Mr Webster accepted that greyhounds could change when they go from one kennel to another. He could not rule it out but he repeated to the Committee that he would be surprised if it happened in the case of REVERSE BACKWAYS. Mr Webster had not been aware of any problem with the greyhound’s teeth. Nothing had been noted by the track vet at Belle Vue Stadium. As for racing in front of people, Mr Webster had seen no indication of a problem but the greyhound had mainly run at BAGS meetings without many spectators.

Mr Winsper told the Committee his information about the greyhound and its nature and behaviour had come from Mr Faulkner. He said Mr Faulkner told him before the race on 21 April 2017 and on previous occasions that it had “gone for” people, even if it had not bitten them. He believed it had a mental condition which made it unhomeable. He could not take the risk that it would be aggressive to a new carer. It would not settle in any other kennel. He did not consider that placing it in another kennel was an acceptable life for the greyhound.

Mr Winsper told the Committee that he had explained to Mr Walpole that he thought the greyhound should be put to sleep because it had a mental condition that made it dangerous. He said he had asked Mr Walpole for advice on whether it should be euthanased.

Mr Walpole gave evidence by telephone from Monmore Green Stadium. He said the event was now some time ago and he could not be sure he had been given any reason why the greyhound should be put to sleep. Owners often gave no reason and he would not always ask. He was as certain as he could be that he was not asked to give advice on whether the greyhound should be put to sleep. He was as certain as he could be that he had not given Mr Winsper any advice. He thought the reason he was given for euthanasing REVERSE BACKWAYS was that Mr Winsper was disappointed with the greyhound's form: that it had been running inconsistently and that this was down to its temperament.

The Committee noted there were inconsistencies and contradictions in the evidence from Mr Winsper, Mr Faulkner and Mr Walpole as to what happened on 21 April 2017, what was said by whom when the greyhound was taken to Mr Walpole, when Mr Faulkner was in the vet's room and when Mr Winsper was in the vet's room. What was uncontradicted was that Mr Faulkner did not suggest the greyhound should be put to sleep or state why it should be put to sleep and that he was shocked when he discovered this had happened. The Committee also found it telling that Mr Faulkner's evidence to the local inquiry was that Mr Winsper had said that putting the greyhound to sleep might be best because it was "nervous" and that Mr Faulkner did not agree with this but suggested it run at Perry Barr. This exchange strongly supported the conclusion that the real reason Mr Winsper considered it was "necessary" to have the greyhound euthanased was not because it was so temperamentally unsuitable that it could not be rehomed but because it was not a good enough prospect as a racer.

The Committee found this was a case where it had not been necessary to euthanase because none of the arrangements for the retirement of greyhounds that Rule 18 (i) stipulated had to be followed (including rehoming) were available. Further dental treatment to put right the ineffective treatment given to REVERSE BACKWAYS in February 2017 should have been investigated. No effective consideration was given to how the dog could be retired in one of the acceptable ways required by rule 18 (i). The Committee did not accept that Mr Winsper was right or entitled to decide, as he said he did, that retirement into kennels as approved by Rule 18 (i) was unacceptable, making it necessary to put the greyhound to sleep. Nor was it necessary or acceptable for Mr Winsper to rush into having the greyhound put to sleep immediately after the race, without taking time for consideration.

The Committee accordingly found Mr Winsper in breach of rule 18 (i). It followed that he was also in breach of Rule 2 in that he failed on this occasion, in relation to this greyhound, to have full regard for the animal's welfare, if only by failing to investigate whether some dental treatment, possibly straightforward extraction, could improve any defects in its temperament so that it could be retired by rehoming or by another of the options under Rule 18 (i). Mr Winsper also failed to promote welfare by not considering with the trainer and/or other owners or the vet, which he did not, the prospects for re-homing or otherwise retiring REVERSE BACKWAYS in accordance with Rule 18.

The Committee also found Mr Winsper in breach of Rule 152 (i) and (ii) in that, on this occasion and in relation to this greyhound, he acted in a way which prejudiced the integrity, proper conduct and good reputation of greyhound racing.

Mr Winsper had made it clear that he neither appreciated or accepted either that what he did in having REVERSE BACKWAYS euthanased was wrong or why the Rules for retirement of greyhounds were as they are. In those circumstances, the decision of the Committee was that he should be disqualified for a period of six months.

### 3. **Sheffield Stadium – SPRINGWELL CLICK – Registered Sales Agent Mr S Sheehan**

Registered Sales Agent Steve Sheehan 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 SPRINGWELL CLICK at Sheffield Stadium on 19 March 2017 was analysed by LGC Health Sciences as containing the presence of 19-noretiocholanolone and 19-norepiandrosterone.

Mr Sheehan had travelled to attend the hearing but had to leave before the considerably delayed hearing could begin. Mr Brian Harrison attended as his representative. Pete Rosney, Stipendiary Steward, and Professor Tim Morris, independent scientific adviser, were in attendance.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, that 19-noretiocholanolone and 19-norepiandrosterone were metabolites of the anabolic steroid nandrolone. Nandrolone was a licensed veterinary medicine, used for the management of chronic renal failure in dogs and cats. It had anabolic steroids effects on dogs, other animals and humans and could have serious side effects. In Professor Morris's opinion it was a substance that by its nature could affect the performance and prejudice the wellbeing of a greyhound.

Professor Morris said that in the past nandrolone had been used to suppress oestrus in greyhounds but its use was now banned by both the GBGB and the Irish Greyhound Board (IGB). 19-noretiocholanolone and 19-norepiandrosterone were also among the metabolites found after administration of norethisterone, which was permitted by both the GBGB and the IGB as an oestrus suppressant. However, no other norethisterone metabolites had been found in the sample taken from SPRINGWELL CLICK. Professor Morris concluded that the presence of 19-noretiocholanolone and 19-norepiandrosterone was most likely the result of the greyhound being exposed to the anabolic steroid nandrolone.

In his response to questions for the local inquiry, Mr Sheehan said he had bought SPRINGWELL CLICK at the Thurles sales in Ireland. Before buying the greyhound he had asked the previous owner, Mr Declan Hannon, if there were any drugs in its system. Mr Hannon had said there were not. Mr Sheehan took SPRINGWELL CLICK to the Sales Meeting at Sheffield Stadium on 19 March 2017 where it ran in a sales trial.

Mr Sheehan told the local inquiry that when he was notified the greyhound's sample had tested positive he had telephoned the auctioneer at the Thurles sales, Mr William O'Dwyer, who was also a board member of the IGB. Mr Sheehan said Mr O'Dwyer had telephoned Mr Hannon and then told him that Mr Hannon had said that he had injected the greyhounds sold by him at the Thurles sales. The Committee was shown a letter from Mr O'Dwyer stating that he had spoken to the vendor who had sold SPRINGWELL CLICK and another bitch, SPRINGWELL FLOW, at the Thurles sales on 25 February 2017 and had been told that both bitches had been suppressed from coming into season.

It was clear to the Committee from Professor Morris's evidence that if SPRINGWELL CLICK was suppressed by its previous owner, it was not given norethisterone. The Committee accepted that more likely than not the source of the metabolites found in SPRINGWELL CLICK's sample was exposure to nandrolone at the hands of its previous owner, before it came into the charge of Mr Sheehan. The

Committee also found that Mr Sheehan had been misled by the previous owner when he had very properly asked whether any drugs had been given to the greyhound.

The Committee found that Mr Sheehan had made all the inquiries he could reasonably be expected to make before buying SPRINGWELL CLICK. He had assisted in getting an explanation for the positive sample and he had named the person responsible for the greyhound being exposed to the anabolic steroid nandrolone. He had tried to attend the hearing but had been prevented by earlier matters before the Committee taking longer than expected. In the circumstances the Committee was content to order that no further action be taken.