

CALENDAR NOTICE (to be published 4 May 2018)

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 17 April 2018:-

Dr AJ Higgins (in the chair)

Mr K Salmon

Mr R Woodworth CBE

1. Mr David Neil

On 15 November 2001, Mr David Neil had his Kennelhand licence withdrawn indefinitely by the NGRC for a breach of NGRC rules 152 (a) & (b), 174 (b) in connection with an alleged attempt to bribe an NGRC official. Mr Neil now appeared before the Disciplinary Committee, accompanied by professional trainer Tony Collett, to request that the disqualification be lifted so that he could re-apply for a kennelhand licence. Mr Gibson, on behalf of GRB, advised that Mr Neil had applied to the Director of Regulation for his licence to be reinstated but this had been refused on 28 February 2018 and he now sought a hearing before the Disciplinary Committee to reverse that decision.

Mr Neil told the Committee that since 2001 he had worked at breeding and selling greyhounds in Ireland. In 2012, he said he had experienced personal difficulties and returned to Scotland. He was subsequently arrested and in December 2013 sentenced to 5 years imprisonment for drug offences. He was released in 2016 and was currently working in the meat trade.

Mr Collett told the Committee that although he had only recently heard about the conviction he was prepared to give Mr Neil a chance working for him as a licensed kennelhand. He had bought greyhounds from Mr Neil in the past when he had been based in Ireland and the dogs had always been in excellent condition. He said he would take on Mr Neil for a trial period if GRB reinstated the licence. He would also provide accommodation for him.

Mr Gibson said that he had been unaware of the 2013 conviction. If the Committee did reinstate Mr Neil's licence, GRB would carefully review the evidence and, if they were to grant a licence, conditions would most likely be attached and reviewed should Mr Neil leave the employment of Mr Collett.

Having considered the available evidence, the Committee refused Mr Neil's application. Drug offences were viewed very seriously by the GRB. The Committee said that Mr Neil might reapply after the full term of his 5-year sentence had expired, in December 2018, but any such application must be accompanied by a properly completed Application Form, giving full details of the 2013 conviction, and written letters of reference would also be required.

2. Nottingham Stadium – FEARSOME FLICKER – Professional Trainer Miss Kelly Tobin

Professional Trainer Kelly Tobin 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 FEARSOME FLICKER at Nottingham Stadium on 22 September 2017 was analysed by LGC Health Sciences as containing the presence of benzoylecgonine (BZE), a metabolite of cocaine.

Miss Tobin was in attendance, accompanied by her partner assistant trainer, Mick Foley. Rachel Corden, the authorised representative of Nottingham Stadium, was in attendance. Jason Smith, racing manager of Nottingham Stadium, apologised for his absence. Professor Tim Morris, independent scientific adviser, and Paula Clare stipendiary steward, were present.

Miss Tobin admitted the breaches. Mr Gibson, on behalf of GRB, advised that the Board would not be pressing for a breach of Rule 174 (i) (a).

The Committee heard that BZE is a metabolite of cocaine found in the urine of dogs and people. Cocaine is a highly restricted Class A, Schedule 2 Controlled drug. Cocaine and BZE both stimulate the nervous system and by their nature can affect the performance of a greyhound and prejudice its welfare. There was nothing in the feeding or management of FEARSOME FLICKER to indicate the source of the BZE. The Sampling Officer had taken 16 samples at that meeting and there was no other positive finding to suggest environmental contamination with cocaine or BZE. Miss Tobin denied any knowledge of the source of BZE or cocaine. She had cooperated fully with the inquiry and willingly provided hair samples from herself and her employees, all of which had tested negative. She speculated that one source might be the secondhand quilts that she had bought as bedding for her greyhounds. At the time of the finding, Miss Tobin admitted that she did not wash the quilts before using them although she knew they had been donated at collection points from all over the UK and were of totally unknown provenance.

The Committee were told that the levels of BZE in the urine of FEARSOME FLICKER were not trivial and that the scientific evidence indicated that the dog had been exposed to cocaine. This as a direct exposure of the dog was supported by screening findings for BZE in hair samples taken from the dog at a later date. The Committee was not able to determine the source of the cocaine although the use for bedding of unwashed quilts from multiple unknown sources could be a possible explanation. The absence of any finding of cocaine in the urine sample suggested that the drug had not been administered to FEARSOME FLICKER in the five hours before the race, as might be anticipated if the drug had been given deliberately to try to influence performance. It was noted that no abnormal betting patterns had been reported for the race.

Miss Tobin confirmed that she now bought new, unused bedding for her greyhounds and ensured her racing dogs were muzzled during exercise. The Committee noted Miss Tobin's previously clean record, that there was no indication of recreational use of drugs in the kennels, and that she and her staff had cooperated fully with the inquiry. Mitigation was presented by Rachel Corden. Nevertheless, the Committee stated this was a serious drug finding and that there was no place for illicit drug findings in greyhound racing. Every care must be taken to avoid potential contamination or exposure to such substances.

Some of the GBGB Rules of Racing impose strict liability on the trainer or registered sales agent. In all the circumstances of the case, the Disciplinary Committee and ordered that Miss Tobin be severely reprimanded and fined £750.

3. Sheffield Stadium – RILEYS RAMPER – Registered Sales Agent Mr Barry Rocks

Registered Sales Agent Mr Barry Rocks was found in breach of rules 152 (i) & (ii), 174 (i)(a) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound RILEYS RAMPER at Sheffield

Stadium on 19 March 2017 was analysed by LGC Health Sciences as containing the presence of procaine; and that he allowed a substance to be administered that could affect the performance and/or wellbeing of the greyhound.

Mr Rocks was in attendance. David Brayshaw, racing manager of Sheffield Stadium, apologised for his non-attendance. Professor Tim Morris, independent scientific adviser, and stipendiary steward Peter Rosney were in attendance.

Mr Rocks admitted the breaches.

In his evidence, Mr Rocks stated that he had treated a cut foot on the greyhound three days before the Sales and, as the wound had started to swell, he had injected 2.5 ml of penicillin. He stated that he had not consulted a veterinarian as it was a bank holiday weekend in Ireland. Mr Rocks gave evidence that he did not recall the type of penicillin he administered but it was one he had available for use in his sheep. He claimed he had given the injection with the best of intentions to help the greyhound and he had no idea it would test positive. He added that when he arrived at the Sales trial, he asked the track veterinarian to check the foot and he stated that she had made a note of the injury. Mr Gibson advised that the veterinarian had no recollection of the examination and no records remained.

The Committee noted the scientific evidence that the finding of procaine in the urine sample was broadly compatible with the use of procaine penicillin at the time stated. The Committee was advised that as penicillin was not detected in the sample, procaine could have been used as a local anaesthetic to influence performance. Penicillin however cleared the dog's system faster than procaine which might be anticipated if procaine penicillin had been administered as stated. On the balance of probabilities, the Committee accepted Mr Rocks's explanation. Nevertheless, by his own admission, Mr Rocks had administered a Prescription Only Medicine to RILEYS RAMPER without veterinary supervision and he had failed to record the name and use of the drug administered shortly before a trial.

The Committee was satisfied that Sales Agents were bound by the Rules of Racing but were concerned that Sales Agents were not required to register with the GBGB and only with the Sales Organisers. As such there was no requirement for Sales Agents to sign and confirm that they had seen, read and would comply with the GBGB Rules of Racing. Mr Rocks stated clearly that he had never seen the Rules of Racing and was unaware of the GBGB's advice on withdrawal periods. The Committee proposed that this omission be examined by the GBGB Rules Review Committee.

In all the circumstances of the case, the Disciplinary Committee ordered that Mr Rocks be severely reprimanded and fined £500.

4. Sheffield Stadium – GENTLE ANNIE – Registered Sales Agent Mr Barry Rocks

Registered Sales Agent Mr Barry Rocks 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 GENTLE ANNIE at Sheffield Stadium on 15 October 2017 was analysed by LGC Health Sciences as containing the presence of 19-norepiandrosterone and 19-noretiocholanolone, metabolites of nandrolone.

Mr Rocks was in attendance. David Brayshaw, racing manager of Sheffield Stadium, apologised for his non-attendance. Professor Tim Morris, independent scientific adviser and Peter Rosney, stipendiary steward, were in attendance.

Mr Rocks admitted the breaches. Mr Gibson, on behalf of GRB, advised that the Board would not be pressing for a breach of Rule 174 (i) (a).

Scientific evidence was presented that nandrolone is an anabolic steroid which can have serious side-effects and by its nature is a substance that could affect the performance of a greyhound or prejudice its welfare. It was noted that nandrolone had been used in the past to suppress oestrus but was now banned by GBGB and IGB. Although the two metabolites could also be found following the administration of norethisterone, a season suppressant that is authorised for use by GBGB and IGB, no other metabolites of norethisterone were detected, indicating that the positive finding in this case was a result of the exposure of GENTLE ANNIE to nandrolone.

Mr Rocks claimed to have no knowledge of any prohibited substance in the greyhound. His assistant, Mr Sean Conway, had contacted the owner, Mr Charlie Bateson, following the sale and was told that the bitch had been given a season suppressant before the sale. Mr Rocks said this was the first he knew of the administration. He had not asked Mr Bateson if he had given any drugs to the dog. Four weeks later, when the results emerged, the new owner had returned the dog, which had been subsequently sold privately. In a letter to GBGB, that was tabled, Mr Bateson stated that Mr Rocks was unaware that GENTLE ANNIE had been given the suppressant (which was not identified in the letter) and Mr Bateson claimed he did not know that the use of the suppressant would cause a positive reading.

The Committee was unable to determine whether nandrolone had been given to GENTLE ANNIE for season suppression, as claimed by Mr Bateson, or for its anabolic effects prior to the Sales. On the balance of probabilities, the Committee accepted Mr Rocks's statement that he did not know of the administration. However, nandrolone is a serious substance of abuse, and is a Prescription Only Medicine that was being used off-licence by Mr Bateson and not under veterinary supervision. Mr Rocks was clearly at fault for not ascertaining before he accepted GENTLE ANNIE for the Sales that no substances had been administered to the dog.

The Committee noted that Mr Rocks had cooperated fully with the inquiry and had no previous record. Mr Rosney provided an opinion on the excellent condition of the greyhounds presented for sale by Mr Rocks.

Some of the GBGB Rules of Racing impose strict liability on the trainer or registered sales agent. In all the circumstances of the case, the Disciplinary Committee ordered that Mr Rocks be reprimanded and fined £200.