

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	1 February 2019
Decision-maker:	A/Chief Steward, Gail Thorsby
Name of relevant person:	Mr. Peter Young
Track:	Muswellbrook
Date:	23 September 2018
Rule no.:	GAR 83(2)(a)
Charge(s):	(1) Mr. Young presented the greyhound 'Madam Maldini' (" Greyhound ") for the purposes of competing in race 2 at the Muswellbrook meeting on 23 September 2018 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited substance(s):	Pholcodine
Disciplinary action taken:	Fine: \$600.00

REPORT:

Following receipt of a certificate of analysis from the Racing Analytical Services Laboratory, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, 'Madam Maldini' ("**Greyhound**") at the Muswellbrook meeting on 23 September 2018.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of pholcodine.

After considering the evidence, the Commission charged Mr. Young with a breach of Greyhounds Australasia Rule ("**GAR**") 83(2)(a) given that the post-race urine sample taken from the Greyhound confirmed the presence of prohibited substance pholcodine.

Mr. Young admitted the charge at the earliest opportunity.

The disciplinary action was conducted in writing in accordance with the participant's election.

DECISION:

1. Mr. Young is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 2 at the Muswellbrook meeting on 23 September 2018 (“Event”). Following the Event, as the Greyhound placed first, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of pholcodine. Pholcodine is a prohibited substance under GAR 1 of the GWIC Greyhound Racing Rules. Pholcodine is a category 5 prohibited substance under the NSW greyhound racing penalty guidelines. Category 5 is the lowest category of prohibited substance.
3. The Commission charged Mr. Young under GAR 83(2)(a), which reads:
 - (2) The owner, trainer or person in charge of a greyhound-
 - (a) nominated to compete in an Event;
 - (b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
 - (c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revokedshall present the greyhound free of any prohibited substance.
4. Mr. Young admitted the charge at the earliest opportunity, provided written submissions and elected to have the disciplinary proceeding conducted in writing.
5. The Commission found the charge proven and took the following disciplinary action against Mr. Young:

To impose a fine in the sum of \$600.00.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr. Young has been a registered trainer for over 30 years;
 - Mr. Young has no history of any prohibited substance matters;
 - NSW greyhound racing penalty guidelines and precedents;
 - Mr. Young’s admission at the earliest opportunity;
 - Mr. Young’s written submissions in mitigation of penalty, including administration of Duro-Tuss (a cough suppressant), leading up to the Event, which was not known at the time to contain pholcodine and confirmation that he has reviewed his animal husbandry procedures.
7. In addition, the Greyhound was disqualified from race 2 at the Muswellbrook meeting on 23 September 2018 pursuant to GAR 83(4), which reads:
 - (4) A greyhound presented for an Event pursuant to sub-rules (1) or (2) shall be disqualified from the Event or any benefit derived from a trial or test......End.....