

## GREYHOUND WELFARE & INTEGRITY COMMISSION

### DISCIPLINARY ACTION DECISION

**Date of decision:** 2 October 2019

**Decision-maker:** Chief Executive Officer, Judith Lind

**Name of relevant person:** Mr Garry Lynch

**Track:** Goulburn

**Date:** 19 March 2019

**Rule no.:** Rule 83(2)(a)

**Charge(s):** (1) Mr Lynch presented the greyhound 'Supreme Star' ("**Greyhound**") for the purposes of competing in race 9 at the Goulburn meeting on 19 March 2019 in circumstances where the Greyhound was not free of any prohibited substance.

**Permanently banned prohibited substance(s):** 5 $\beta$ -androstane-3 $\alpha$ , 17 $\beta$ -diol

**Disciplinary action taken:** 8-month disqualification [with 10 weeks and 6 days suspended due to the period of interim suspension served]

#### REPORT:

Following receipt of a certificate of analysis from the Racing Analytical Services Laboratory, the Commission conducted an investigation into the results of a pre-race urine sample taken from the greyhound, 'Supreme Star' ("**Greyhound**") at the Goulburn meeting on 19 March 2019.

Further analysis of the sample was conducted by the Racing Science Centre, confirming the presence of 5 $\beta$ -androstane-3 $\alpha$ , 17 $\beta$ -diol at a mass concentration of 17 nanograms per millilitre.

After considering the evidence, the Commission charged Mr Lynch with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the pre-race urine sample taken from the Greyhound confirmed the presence of the permanently banned prohibited substance 5 $\beta$ -androstane-3 $\alpha$ , 17 $\beta$ -diol above the threshold imposed by Rule 83(6) of 10 nanograms per millilitre.

Mr Lynch admitted the charge at the earliest opportunity.

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

## DECISION:

1. Mr Lynch is a registered greyhound trainer and the trainer of the female Greyhound. The Greyhound was presented for race 9 at the Goulburn meeting on 19 March 2019 (“Event”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of 5 $\beta$ -androstane-3 $\alpha$ , 17 $\beta$ -diol at a mass concentration of 17 nanograms per millilitre. 5 $\beta$ -androstane-3 $\alpha$ , 17 $\beta$ -diol at a mass concentration greater than 10 nanograms per millilitre in a sample of urine taken from a bitch exceeds the threshold set by Rule 83(6) of the Commission’s Greyhound Racing Rules. 5 $\beta$ -androstane-3 $\alpha$ , 17 $\beta$ -diol is a known metabolite of testosterone and testosterone is an endogenous anabolic androgenic steroid; a permanently banned prohibited substance and a category 3 prohibited substance under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mr Lynch under Rule 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 Lynch admitted the charge, 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 Lynch:

To disqualify his trainer registration held with GWIC for a period of 8 months, with:

  - (a) 10 weeks and 6 days suspended due to the period of interim suspension served; and
  - (b) The remaining period of disqualification to be served, commencing on 2 October 2019 and expiring on 16 March 2020.
6. In taking this disciplinary action, the Commission considered all evidence, including:
  - Mr Lynch has been a registered trainer for approximately 50 years;
  - Mr Lynch has no history of any prohibited substance matters;
  - The objective seriousness of the prohibited substance detected, being a permanently banned prohibited substance;
  - NSW greyhound racing penalty guidelines and precedents, which provides a starting point penalty of 12 months disqualification;

- The period served under an interim suspension: 17 July 2019 to 2 October 2019;
- Mr Lynch's admission of the charge at the earliest opportunity;
- Mr Lynch's written submissions in mitigation of penalty, including in relation to his personal and financial circumstances.

7. In addition, the Greyhound was disqualified from race 9 at the Goulburn meeting on 19 March 2019 pursuant to Rule 83(4).

.....End.....