



Swabbing Policy

July 2018

This policy is issued under section 12(b) of the *Greyhound Racing Act 2017* and is enforceable by the Greyhound Welfare and Integrity Commission. The Commission may review this policy at any time.

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1. Objectives

- 1.1 The objectives of this Policy are to:
 - prevent the use of permanently banned and prohibited substances to influence greyhound performance
 - ensure attempts to influence greyhound performance through the use of permanently banned and prohibited substances are detected and referred for investigation and disciplinary action where appropriate
 - safeguard the integrity of the NSW greyhound racing industry.
- 1.2 The use of permanently banned and prohibited substances in greyhound racing affects the condition, behaviour and performance of greyhounds and may harm greyhound welfare and/or lead to unfair competition outcomes or otherwise harm industry integrity. For these reasons the use of such substances in greyhound racing is proscribed under the Greyhound Racing Rules.
- 1.3 This Policy ensures that the Greyhound Welfare and Integrity Commission maintains a deliberate intelligence led and risk-based approach towards the swabbing of greyhounds in the interests of achieving the objectives and safeguarding greyhound welfare.

2. Application

- 2.1 This Policy applies to all greyhound racing industry participants registered with the Commission, and to all greyhounds owned or kept by a greyhound racing industry participant.

3. Introduction

- 3.1 The Rules establish obligations and create offences in relation to permanently banned/prohibited substances use including:
 - an obligation on certain persons to ensure that a greyhound drawn for an event is fit and properly conditioned to race and/or to report any condition or occurrence that may affect its running in the event to the Stewards
 - an obligation on certain persons to report anything that might have affected the running of a greyhound in an event and/or have a bearing on the future running of a greyhound
 - an obligation on certain persons to present greyhounds that are free of permanently banned prohibited substances, and an offence in respect of persons presenting greyhounds that are not free of prohibited substances
 - offences for a registered person to be in possession of a permanently banned prohibited substance in certain circumstances and powers for Stewards to take possession of these substances to test or destroy them
 - offences relating to positive analysis of swabs for permanently banned prohibited substances.

4. Swabbing resources

- 4.1 All swabbing activity undertaken by the Commission is subject to the Commission having available adequate and appropriately trained resources, including human, technological, logistical and financial resources.
- 4.2 The Commission may designate various employees and authorised persons as having responsibilities for swabbing activity by delegation and/or direction, and may engage third parties such as contractors to conduct swabbing activity.
- 4.3 The Commission's employees and authorised persons with role responsibilities for swabbing activities are generally comprised of:
 - Stewards
 - Veterinarians
 - Inspectors and Investigators
 - Swabbing Officials.
- 4.4 As the controlling body for the greyhound racing industry in New South Wales, the Commission's employees and authorised persons have an obligation to act in the interests of greyhounds, the industry as a whole, and the public interest. Industry participants, stakeholders and the broader community have a right to expect that the Commission conducts itself with efficiency, fairness, transparency, impartiality and integrity.
- 4.5 Employees and authorised persons must comply with the Commission's Code of Conduct at all times and must perform their swabbing responsibilities diligently, impartially, conscientiously, and to the best of their ability. In relation to their swabbing responsibilities, employees and authorised persons should recognise the potential for conflicts of interest arising between their official duties and responsibilities and private friendships and other associations. To avoid or manage conflicts, employees and authorised persons must not conduct any swabbing activity in circumstances where they are aware of the potential for any real or perceived conflict of interest unless the interest is declared, and appropriate measures are in place to manage the conflict of interest.

5. Swabbing activities

Authority to conduct swabbing

- 5.1 All swabbing activity is undertaken by the Commission, its employees, authorised persons and third party contractors (such as a testing laboratory) in accordance with the functions and powers conferred upon the Commission under the *Greyhound Racing Act 2017* and for the purpose of detecting and inquiring into the use of any permanently banned or prohibited substances in the greyhound racing industry.
- 5.2 The functions of the Commission include to control, supervise, and regulate greyhound racing. The Commission can inquire into and deal with any matter relating to the greyhound racing industry.

- 5.3 The Greyhound Racing Rules make provision for various permanently banned/prohibited substances and exempt prohibited substances; the testing and swabbing of registered greyhounds by or as directed by the Commission; and inquiry by the Commission in relation to offences involving positive analysis of swabs for permanently banned/prohibited substances. The Commission may enter upon land or premises owned, occupied or under the control of a registered or licensed person and used in any manner in relation to any licence or club to do certain things (including swabbing of greyhounds).
- 5.4 Where the Commission has reasonable cause to suspect that any dishonest, corrupt, fraudulent, negligent or improper act in connection with greyhound racing is about to or may take place, or has taken place then the Commission may do certain things (including swabbing of greyhounds), for the purpose of preventing, detecting or inquiring into that act.
- 5.5 The Commission may swab greyhounds and take samples of urine, blood, excreta, saliva, and/or hair. In general urine is to be collected in preference to blood. If a urine sample cannot be collected, a blood sample may be taken.

Mandatory swabbing activity

- 5.6 Under the Rules, the Commission may carry out or cause to be carried out such test or tests as the Commission deems necessary in relation to a greyhound which has been entered for, or has competed in, an event, including a satisfactory trial.
- 5.7 The Commission conducts the following mandatory swabbing activity:
- All winners of category A1 race meetings.
 - All winners of category A2 race meetings.
 - All semi-final winners of Group 3 or higher events.
 - All greyhounds engaged to compete in finals of Group 1 events.
 - All greyhounds engaged to compete in finals of Group 2 events.
 - First, second, and third placegetters in all group finals.
 - Any greyhound that breaks or equals a track record.
 - Where a trainer has three or more winners at a single meeting, at least one greyhound trained by that trainer within those three races and every subsequent winner thereafter.
 - In relation to Category B and C TAB meetings:
 - Winners of all events with total prize money pool of \$5,000 or more
 - First, second and third placegetters in all events with total prize money pool of \$10,000 or more.
 - In relation to non-TAB meetings:
 - Winners of all events with total prize money pool of \$2,000 or more.

Random swabbing activity

- 5.8 Under the Rules, the Commission may carry out, or cause to be carried out, such tests as it deems necessary in relation to a greyhound at any time for the purposes of detecting the use of a permanently banned/prohibited substance.

- 5.9 The Commission requires random swabbing activity to be carried out at both TAB and non-TAB venues. Random swabbing ensures that every greyhound at every race meeting has a chance of being drug tested. This acts as an additional assurance measure and is important for general deterrence.
- 5.10 On the day of a TAB meeting the race day controller during preparation for that meeting will randomly generate greyhound(s) for swabbing that will be communicated to the on course steward. The day prior to each race non-TAB meeting, a race day controller will randomly generate greyhound(s) for swabbing that will be communicated to the on course steward on the day of the scheduled race meeting. The race day controller will use a random number generator to determine which races and greyhounds will be subjected to random swabbing at a meeting. The random generator is an electronic algorithm that will randomly select the race number and box number at the respective race meeting. Commission employees play no part in determining which greyhounds are to be selected, with the selected greyhounds determined solely by chance. Race day stewards are not permitted to convey information about selected greyhounds to industry participants in advance of the swabbing procedure taking place.
- 5.11 A minimum of one greyhound at each meeting will be selected for random swabbing, however, additional numbers of greyhounds will also be determined if in the opinion of the Commission's Chief Veterinary Officer or Chief Steward the level of mandatory swabbing activity at a meeting will be low due to the types of races being held (such as at non-TAB race meetings). These additional greyhounds will also be selected randomly.
- 5.12 The Commission seeks to ensure that random swabbing is done in an impartial and transparent manner. Details of which greyhounds were selected for random swabbing will be published in the stewards' report following the race meeting. Where a greyhound selected for random swabbing is not swabbed a report on the reasons must be provided to the Commission for consideration. The random greyhound generator selection process will be auditable by the Commission and its external auditors where appropriate to ensure that the selection of greyhounds was based on chance, with every greyhound having an equal opportunity for selection with each draw, and that no bias was present.

Targeted swabbing activity

- 5.13 Under the Rules, the Commission may carry out, or cause to be carried out, such tests as it deems necessary in relation to a greyhound at any time for the purposes of detecting the use of a prohibited substance.
- 5.14 The Commission conducts targeted swabbing activity as determined at the discretion of the Commission's Chief Executive Officer and/or Chief Veterinary Officer or otherwise by a steward or authorised person. In exercising discretion to conduct targeted swabbing activity, the Commission and its employees have regard to the objectives of this Policy.
- 5.15 Examples of factors that the Commission may take into consideration in the exercise of discretion are:
- Improved performance of a greyhound
 - Poor or unsatisfactory performance of a greyhound
 - Suspicious betting activity
 - Whether or not the greyhound has previously been tested
 - Relevant intelligence

- Cold targeting
- Any other relevant factor.

5.16 Targeted swabbing activity may otherwise be based on the Commission's regulatory strategy and related initiatives as formulated by it from time to time.

Elective swabbing activity

5.17 The Commission offers elective testing at the request of the participant under certain criteria. These criteria, and the conditions of elective testing, are included in Annexure A to this Policy.

Autopsy swabbing activity

5.18 Under the Rules, the Commission may, if a greyhound dies, either before, during or after an event, cause to be carried out such test or tests as the Commission deems necessary.

5.19 The Commission conducts autopsy swabbing activity as determined at the discretion of the Commission's Chief Executive Officer and/or the Chief Veterinary Officer or otherwise by a steward or Commission-engaged veterinarian. In exercising discretion to conduct autopsy swabbing activity, the Commission and its employees have regard to the objectives of this Policy.

6. Collection and testing of samples

Testing laboratory

6.1 The Commission engages a testing laboratory to undertake the testing of swab samples and advise on the collection of samples. The Commission will ensure that the testing laboratory is independent, has appropriate equipment to both carry out testing and store samples and that only suitably qualified personnel undertake or supervise testing activities. The testing laboratory must be accredited with the National Association of Testing Authorities (or similar body). Protocols to ensure the integrity of samples and testing processes will be put in place.

Collection of samples

6.2 The collection of samples will be carried out in accordance with guidelines provided by the testing laboratory engaged by the Commission to carry out swab tests. Stewards and authorised persons are required to follow these guidelines and any internal Commission procedures during sample collection.

6.3 The Commission will make available information to industry participants on the collection process and ensure that the industry participant is afforded an opportunity to have a witness present during the sample collection.

Testing of samples

- 6.4 Swab samples received by the Commission are transported to a forensic testing laboratory for testing to be carried out for prohibited substances. Protocols will be put in place to ensure the integrity of samples during the transport and testing phases, and in the event of a positive result for a test, the second sample and control fluid will also be tested.

7. Notification of outcomes of swab testing

- 7.1 Industry participants are able to obtain advice from the Commission on the outcome of a swab test by contacting stewards. Where a mandatory, random or targeted swab is tested and there is a positive result, the Commission will consider taking disciplinary action in accordance with the Act and the Rules. Any adverse findings as a result of those inquiries will be published. For an elective swab, the Commission will inform the industry participant of the result.

8. Future testing and re-testing

- 8.1 After initial testing, the samples taken from greyhounds (other than samples taken as elective swabbing) may be frozen and stored for a period up to 10 years, and these samples may be resubmitted for re-testing at any time. Samples taken as elective swabbing will be disposed of within one week of reporting the result to stewards.

9. Breach of policy

- 9.1 A failure to comply with the terms of this Policy can result in disciplinary action under relevant legislation.

10. Annexure A – Elective swabbing criteria

Elective Testing of Out of Competition Samples

Criteria and Conditions

Out of competition testing of samples collected from greyhounds prior to racing is a service offered to the NSW greyhound racing industry to help trainers determine the suitability of an animal for competition.

The service is offered under the following criteria:

- The service is to test samples:
 - for the presence of long acting veterinary therapeutic drugs (with corresponding long periods of detection) such as anabolic steroids and corticosteroids, and procaine, or
 - for the presence of permanently banned and prohibited substances where the recent treatment history and circumstances of a newly acquired greyhound cannot be reasonably known.
- Arrangements for elective testing can only be made through the Commission and on the approval of the Commission's stewards.
- The stewards will arrange for a suitable person to identify the greyhound, collect the sample and deliver it to the testing laboratory.
- All elective testing will be carried out in accordance with the Commission's Swabbing Policy and follow the Commission's established procedures for the collection, transport and testing of samples.
- Elective swabbing will not be approved or carried out until the relevant fee is paid and the Request for Elective Swabbing and Privacy Notice and Electronic Consent forms are completed and submitted to the Commission.
- Until the results of the sample are received, the greyhound must not be entered into any event.
- The results will be provided by the Commission and cannot be obtained directly from the testing laboratory.
- Time constraints may mean that a confirmation test is not attempted.
- The results of non-race day testing do not absolve trainers and owners of their responsibilities in the event of a positive result arising from samples taken at any race meeting or trialling track.
- Trainers and owners are advised that a negative result following a particular treatment may not mean that such a result would be obtained in similar circumstances with the same or other greyhounds and trainers and owners should not rely solely on the outcome of a single test, with consideration of date of administration, route of administration and the advice of the treating veterinarian needing to also be taken into account.
- Samples will be disposed of within one week of reporting the results to stewards.

- Stewards will retain information regarding positive swab results for intelligence and verification purposes.

11. Document information

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