



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: Wednesday 4 October 2023

Decision-maker: Chief Steward Troy Vassallo and Chief Operating Officer Wade Birch

Name of relevant person: Robert Howard

Track: Maitland

Date: 22 May 2023

Rule no.: 141(1)(a)

Charge(s): Mr Robert Howard presented the greyhound 'Pan's Priority' for the purposes of competing in race 8 at the Maitland meeting on 22 May 2023 in circumstances where the Greyhound was not free of any prohibited substance.

Plea: Guilty

Prohibited Substance(s): 4-hydroxy xylazine

Disciplinary action taken: To issue a fine in the sum of \$1,500, wholly, and conditionally suspended for a period of 12 months.

INVESTIGATION

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 21 June 2023, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, "Pan's Priority" at the Maitland meeting on 22 May 2023.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory confirming the presence of 4-hydroxy xylazine.

DECISION:

1. Mr Howard is a registered Public Trainer and Breeder and the trainer of "Pan's Priority" ("the Greyhound"). The Greyhound competed in race 8 at the Maitland meeting on 22 May 2023. Following the Event, a urine sample was taken from the Greyhound.
2. The post-race swab revealed the presence of 4-hydroxy xylazine.

3. 4-hydroxy xylazine above a mass concentration of 5 nanograms per millilitre is a prohibited substance under Rule 147(6)(c) of the GWIC Greyhound Racing Rules.
4. On Thursday 7 September 2023 Mr Howard was issued with a notice of charge and proposed disciplinary action ("**Notice**").
5. In the Notice issued on 7 September 2023 the decision makers proposed a penalty of a 4-month suspension and charged Mr Howard with an offence under Rule 141(1)(a) of the Greyhound Racing Rules, which reads:

Rule 141(1), Rules

(1) The owner, trainer or other person in charge of a greyhound:

(a) nominated to compete in an Event;

...

must present the greyhound free of any prohibited substance.

...

(3) The owner, trainer or person in charge of a greyhound presented contrary to subrule (1) of this rule shall be guilty of an offence.

6. The Notice invited Mr Howard to attend a hearing to enter a plea and make submissions in relation to the charge.
7. At the hearing conducted on Wednesday 4 October 2023, Mr Howard entered a plea of guilty and made verbal submissions.
8. In considering the matter, the decision makers considered Mr Howard's plea and submissions, as well as all available evidence. The decision makers found the charge proven and took the following disciplinary action against Mr Howard:

Charge 141 (1) (a): To issue a fine in the sum of \$1,500, wholly, and conditionally suspended for a period of 12 months.

9. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Guilty plea
 - Mr Howard's registration history
 - Second offence

- GWIC penalty guidelines
- Personal and professional circumstances
- The decision-makers were satisfied that on the available evidence, that the likely cause of the detection of the prohibited substance was as a result of contaminated meat.

10. In addition, the Greyhound was disqualified from race 8 at the Maitland meeting on 22 May 2023 pursuant to Rule 141(4) of the Rules.

.....End.....