



**GREYHOUND WELFARE & INTEGRITY COMMISSION**  
**DISCIPLINARY ACTION DECISION**

**Date of decision:** 28 May 2020

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

**Name of relevant person:** Mr John Summers

**Track:** Richmond

**Date:** 28 August 2019

**Rule no.:** Rule 83(2)(a), Rule 84(2)

**Charge(s):** (1) Mr Summers presented the greyhound 'Before the Storm' ("**Greyhound**") for the purposes of competing in race 3 at the Richmond meeting on 28 August 2019 in circumstances where the Greyhound was not free of any prohibited substance;

(2) Mr Summers had in his possession at his registered kennels on 9 October 2019 a prohibited substance, namely "Streets"

**Prohibited substance(s):** Atenolol; "Streets"

**Disciplinary action taken:** Charge 1: 8-week suspension  
Charge 2: Formal warning / reprimand

**REPORT:**

**Charge 1:**

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, 'Before the Storm' ("**Greyhound**") at the Richmond meeting on 28 August 2019.

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

After considering the evidence, the Commission charged Mr Summers with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the post-race urine sample taken from the Greyhound confirmed the presence of the prohibited substance atenolol.

**Charge 2:**

During an inspection of the kennels registered to Mr Summers, Commission Inspectors located a prohibited substance. This item was surrendered to the Inspectors.

After considering the evidence, the Commission charged Mr Summers with a breach of Rule 84(2) of the Rules in relation to the item found.

Mr Summers admitted both charges at the earliest opportunity.

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

**DECISION:**

1. Mr Summers is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 3 at the Richmond meeting on 28 August 2019 ("**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 atenolol. Atenolol is a prohibited substance under Rule 1 of the Rules.
3. On 9 October 2019, Commission Inspectors attended at the registered kennel address of Mr Summers to conduct an inspection.
4. During that inspection, the Inspectors discovered and had surrendered to them a bottle of "Streets".
5. "Streets" is not registered with the Australian Pesticides and Veterinary Medicines Authority and it is an offence to possess this substance under Rule 84(2) of the Rules.
6. Mr Summers admitted the charges, provided written submissions and elected to have the disciplinary proceeding conducted in writing.
7. The Commission charged Mr Summers under Rule 83(2)(a) and Rule 84(2), which reads:

**Rule 83(2)(a)**

(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 revoked

shall present the greyhound free of any prohibited substance.

**Rule 84(2)**

- (1) For the purpose of this Rule “possession” means any form of personal physical possession, or the on site control/ storage, of a prohibited substance.
- (2) A registered person who has in their possession at any place used in relation to the training or racing of a greyhound, any quantity of a prohibited substance commits an offence unless that substance has been registered or labelled, or prescribed, dispensed or obtained, in compliance with the relevant State or Commonwealth legislation. The Stewards may take possession of any of these substances or preparations to test and or destroy.

8. The Commission found the charges proven and took the following disciplinary action against Mr Summers:

Charge 1 (Rule 83(2)(a)): To suspend his trainer registration for a period of 8 weeks;

Charge 2 (Rule 84(2)): To impose a formal warning / reprimand.

9. In taking this disciplinary action, the Commission considered all evidence, including:

- The length of Mr Summers’ registration history, having been a registered trainer for 32 years;
- Mr Summers’ admission of the charges at the earliest opportunity;
- Mr Summers has no history of any prohibited substance matters;
- The indicative level of the prohibited substance detected, was considered low;
- NSW greyhound racing penalty precedents;
- Mr Summers’ submissions in mitigation of any penalty, including in relation to his good record and review of his animal husbandry practices.

10. In addition, the Greyhound was disqualified from race 3 at the Richmond meeting on 28 August 2019 pursuant to Rule 83(4) of the Rules.

.....End.....