

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

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| Date of decision: | 11 February 2019 |
| Decision-maker: | A/Chief Steward, Gail Thorsby |
| Name of relevant person: | Mr Neil Staines |
| Track: | Goulburn |
| Date: | 19 July 2018 |
| Rule no.: | Rule 83(2)(a) |
| Charge(s): | (1) Mr Staines presented the greyhound 'East of Blue' (" Greyhound ") for the purposes of competing in race 8 at the Goulburn meeting on 19 July 2018 in circumstances where the Greyhound was not free of any prohibited substance. |
| Permanently banned prohibited substance(s): | Nandrolone and its metabolites 5a-estrane-3b, 17a-diol, 5a-estrane-3b, 17b-diol, 19-noretiocholanolone and 19-norepiandrosterone; Testosterone evidenced by 5 β -androstane-3 α , 17 β -diol |
| Disciplinary action taken: | 24 weeks disqualification [with 9 weeks suspended due to 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 post-race urine sample taken from the greyhound, 'East of Blue' ("**Greyhound**") at the Goulburn meeting on 19 July 2018.

Further analysis of the sample was conducted by the Queensland Racing Integrity Commission Racing Science Centre, confirming the presence of:

- (a) Nandrolone and its metabolites 5a-estrane-3b, 17a-diol, 5a-estrane-3b, 17b-diol, 19-noretiocholanolone and 19-norepiandrosterone; and
- (b) 5b-androstane-3a, 17b-diol at a mass concentration of 14 nanograms per millilitre.

After considering the evidence, the Commission charged Mr Staines with a breach of Rule 83(2)(a) given that the post-race urine sample taken from the Greyhound confirmed the presence of permanently banned prohibited substances Nandrolone and its metabolites and

testosterone evidenced by 5b-androstane-3a, 17b-diol at a mass concentration greater than the threshold imposed by Rule 83(6) of 10 nanograms per millilitre in a sample of urine taken from a bitch.

Mr Staines was legally represented and admitted the charge at the earliest opportunity.

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

DECISION:

1. Mr Staines is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound was presented for race 8 at the Goulburn meeting on 19 July 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:
 - Nandrolone and its metabolites 5a-estrane-3b, 17a-diol, 5a-estrane-3b, 17b-diol, 19-noretiocholanolone and 19-norepiandrosterone; and
 - 5b-androstane-3a, 17b-diol at a mass concentration of 14 nanograms per millilitre.
3. The Commission obtained written evidence from Paul Zahra, Scientific Manager of RASL regarding the class of substances detected in the sample taken from the Greyhound. Mr Zahra's written evidence confirmed:
 - Nandrolone is an anabolic androgenic steroid;
 - 19-norepiandrosterone, 19-noretiocholanolone, 5a-estrane-3b, 17a-diol, 5a-estrane-3b, 17b-diol are known metabolites of nandrolone in the greyhound; and
 - 5b-androstane-3a, 17b-diol is a known metabolite of testosterone in the greyhound.
4. Both an anabolic androgenic steroid and its metabolites are permanently banned prohibited substances under Rule 79A(2) of the GWIC Greyhound Racing Rules.
5. Testosterone, an endogenous anabolic androgenic steroid, as evidenced by 5b-androstane-3a, 17b-diol exceeding the threshold set by Rule 83(6) is a permanently banned prohibited substance under Rule 79A(2) of the GWIC Greyhound Racing Rules.
6. Nandrolone and testosterone are category 3 prohibited substances under the NSW greyhound racing penalty guidelines.
7. The Commission charged Mr Staines 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 revoked

shall present the greyhound free of any prohibited substance.

8. Mr Staines admitted the charge at the earliest opportunity, provided written submissions and elected to have the disciplinary proceeding conducted in writing.
9. The Commission found the charge proven and took the following disciplinary action against Mr Staines:

To disqualify him for a period of 24 weeks, with:

- (a) 9 weeks suspended pursuant to Rule 95(3) being the period between 12 December 2018 and 11 February 2019, taking into account the period of interim suspension already served by Mr Staines; and
- (b) for the remaining period of disqualification to end on 28 May 2019.

10. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Staines has been a registered trainer for over 43 years;
 - Mr Staines has no history of any prohibited substance matters;
 - NSW greyhound racing penalty guidelines and precedents;
 - Mr Staines' admission at the earliest opportunity;
 - The written submissions and character references in mitigation of penalty, including Mr Staines' good character, reputation and involvement in the community, within and outside the greyhound racing industry.

11. The Commission' received submissions from Mr Staines' solicitor in relation to the Commission exercising its discretion under Local Rule 99B(3) to permit Mr Staines to continue to reside at his property during the period of disqualification. After consideration of these submissions, it was determined that there were exceptional circumstances to invoke the discretion to permit Mr Staines to continue to reside at his property, on the conditions that:
 - no registered greyhound trainer lives at or trains from his property; and
 - no greyhounds are trained, kept or raced from his property, except for the keeping of greyhounds which are owned by him for welfare reasons.

12. In addition, the Greyhound was disqualified from race 8 at the Goulburn meeting on 19 July 2018 pursuant to Rule 83(4).

.....End.....

*Amended 2 March 2020.