

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

<b>Date of decision:</b>	23 November 2020
<b>Decision-maker:</b>	Interim Chief Executive Officer, Steven Griffin
<b>Name of relevant person:</b>	Mr Troy Vella
<b>Tracks:</b>	Bathurst, Richmond
<b>Date:</b>	3 March 2020, 11 March 2020
<b>Rule no.:</b>	Rule 83(2)(a) (x2); Rule 84A(1)
<b>Charge(s):</b>	<p>(1) Mr Vella presented the greyhound 'Evil Deed' ("<b>First Greyhound</b>") for the purposes of competing in race 8 at the Bathurst meeting on 3 March 2020 in circumstances where the Greyhound was not free of any prohibited substance.</p> <p>(2) Mr Vella presented the greyhound 'Torza' ("<b>Second Greyhound</b>") for the purposes of competing in race 2 at the Richmond meeting on 11 March 2020 in circumstances where the Greyhound was not free of any prohibited substance.</p> <p>(3) Mr Vella, during an inspection on 16 April 2020, was found to not to keep or retain records detailing any or all vaccinations, antiparasitics or medical treatments administered to the greyhound, 'Evil Deed' whilst that greyhound was in his care.</p>
<b>Prohibited substances:</b>	Hydrocortisone x 2
<b>Disciplinary action taken:</b>	Charge 1 (3 March 2020): 19-week suspension Charge 2 (11 March 2020): 22-week suspension Charge 3 (16 April 2020): \$150 fine  Deferred commencement of suspensions to 26 November 2020 under Rule 95(5)

**REPORT:**

**First Charge**

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, 'Evil Deed' ("**Greyhound**") at the Bathurst meeting on 2 March 2020.

Further analysis of the sample was conducted by the Queensland Racing Integrity Commission Racing Science Centre confirming the presence of hydrocortisone at a mass concentration above 1,000 nanograms per millilitre (“ng/mL”).

After considering the evidence, the Commission charged Mr Vella 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, hydrocortisone above the threshold imposed by Rule 83(8) of 1,000 nanograms per millilitre.

### **Second Charge**

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, ‘Torza’ (“**second Greyhound**”) at the Richmond meeting on 11 March 2020.

Further analysis of the sample was conducted by the Queensland Racing Integrity Commission Racing Science Centre confirming the presence of hydrocortisone at a mass concentration above 1,000 nanograms per millilitre.

After considering the evidence, the Commission charged Mr Vella with a breach of Rule 83(2)(a) of the Rules given that the pre-race urine sample taken from the Greyhound confirmed the presence of the permanently banned prohibited substance, hydrocortisone above the threshold imposed by Rule 83(8) of 1,000 nanograms per millilitre.

### **Third Charge**

During an inspection of the kennels of Mr Vella on 16 April 2020, associated with the sample associated with the First Charge, Commission Inspectors discovered Mr Vella did not keep or retain any treatment records for the Greyhound.

After considering the evidence, the Commission charged Mr Vella with a breach of Rule 84A(1) of the Rules in relation to the failure to keep treatment records.

Mr Vella admitted the charges at the earliest opportunity.

The disciplinary proceeding was conducted in writing in accordance with the participant’s election.

### **DECISION:**

1. Mr Vella is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 8 at the Bathurst meeting on 2 March 2020 (“**First Event**”). Prior to the Event, a urine sample was taken from the Greyhound.

2. The pre-Event swab revealed the presence of hydrocortisone at a mass concentration of greater than 2,000ng/mL.
3. The second Greyhound competed in race 2 at the Richmond meeting on 11 March 2020 (“**Second Event**”) and a post-race urine sample was taken from the second Greyhound.
4. The pre-Second Event swab revealed the presence of hydrocortisone at a mass concentration of greater than 2,000ng/mL.
5. Hydrocortisone exceeding 1,000ng/mL is a prohibited substance under Rule 83(8) of the Rules and in the absence of any evidence of the topical administration of any registered topical preparation is also a permanently banned prohibited substance under Rule 79A(2)(xxiv).
6. The Commission charged Mr Vella with two offences under Rule 83(2)(a) and one offence under Rule 84A(1), which read:

**Rule 83**

...

(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 84A**

(1) The person in charge of a greyhound must keep and retain records detailing all vaccinations, antiparasitics and medical treatments administered to a greyhound from the time the greyhound enters their care until the greyhound leaves their care and for a minimum of two (2) years. Such record of treatment must be produced for inspection when requested by a Steward or a person authorised by the Controlling Body. Any person responsible for a greyhound at the relevant time who fails to comply with any provision of this rule shall be guilty of an offence.

7. Mr Vella admitted the charges, provided written submissions and elected to have the disciplinary proceeding conducted in writing. Mr Griffin, Interim CEO, took over as decision-maker of the matter in November 2020, partway through the proceedings, with the consent of Mr Vella.
8. The Commission found the charges proven and took the following disciplinary action against Mr Vella:

Charge 1 (Rule 83(2)(a)): To suspend his trainer registration for a period of 19 weeks;

Charge 2 (Rule 83(2)(a)): To suspend his trainer registration for a period of 22 weeks;

Charge 3 (R84(1)): To impose a fine in the sum of \$150, with the periods of suspension to be served concurrently.

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

- Mr Vella has held a greyhound trainer licence for approximately 10 years;
- Mr Vella has two prior positive substance matters in his disciplinary history – in 2016 involving testosterone for which he received a period of disqualification and in 2017 involving meloxicam and flunixin for which was fined;
- Mr Vella’s admission of the charges at the earliest opportunity;
- NSW greyhound racing penalty precedents;
- The evidence before the Commission that Mr Vella used a skin irritation cream prior to feeding his greyhounds was accepted as a reasonable explanation for the source of the positive results, causing the substances to be dealt with a prohibited substances not permanently banned, despite the cream not being a “registered topical preparation” for the purposes of Rule 79A(2)(xxiv);
- Mr Vella did not have an opportunity to review and amend his animal husbandry practices between after the first positive and prior to the second positive due to the race meetings being 9 days apart;
- The prizemoney which will be affected by the taking of this disciplinary action;
- Mr Vella’s submissions in mitigation of penalty, including in relation to his personal and financial circumstances, his review of and amendment to his animal husbandry practices (including the use of gloves) and the reasonable explanation for the likely source of the positive results.

10. In addition, the Greyhound was disqualified from race 8 at the Bathurst meeting on 3 March 2020 and the second Greyhound was disqualified from race 2 at the Richmond meeting on 11 March 2020 pursuant to Rule 83(4) of the Rules.

.....End.....