



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 22 July 2020
Decision-maker: Chief Executive Officer, Judith Lind
Name of relevant person: Mr Brian Stephens
Track: Grafton
Date: 15 April 2020
Rule no.: Rule 83(2)(a)
Charge(s): (1) A greyhound registered under Mr Stephens' trainership, 'Mia Beryl May' ("**Greyhound**") was presented for the purposes of competing in race 8 at the Grafton meeting on 15 April 2020 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited substance(s): Theobromine
Disciplinary action taken: 4-week suspension

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, 'Mia Beryl May' ("**Greyhound**") at the Grafton meeting on 15 April 2020.

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

After considering the evidence, the Commission charged Mr Stephens 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 theobromine.

Mr Stephens admitted the charge at the earliest opportunity.

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

DECISION:

1. Mr Stephens is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 8 at the Grafton meeting on 15 April 2020 (“Event”). Following the Event, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of theobromine. Theobromine is a prohibited substance under Rule 1 of the Rules.
3. The Commission charged Mr Stephens 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 revokedshall present the greyhound free of any prohibited substance.
4. Mr Stephens admitted the charge, provided submissions and elected to have the disciplinary proceeding conducted in writing.
5. The Commission found the charge proven and took the following disciplinary action against Mr Stephens:

To suspend his trainer registration for a period of 4 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mr Stephens has been a registered trainer for approximately 29 years, and registered as an attendant for further 33 years;
 - Mr Stephens has no relevant prior matters in his disciplinary history;
 - NSW greyhound racing penalty precedents;
 - Mr Stephens’ submissions in mitigation of penalty, including in relation to his personal and financial circumstances, his review of his husbandry practices and his good character.
7. In addition, the Greyhound was disqualified from race 8 at the Grafton meeting on 15 April 2020 pursuant to Rule 83(4) of the Rules.

.....End.....