

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 23 May 2025

Decision-maker: Senior Steward Paul Van Gestel and Steward Geoff Page

Name of relevant person: Kenneth Markham

Track: Goulburn

Date: 7 February 2025

Rule no.: 141(1)(a)

Charge(s): Mr Kenneth Markham presented the greyhound 'Unacceptable Mim' for the purpose of competing in race 9 at the Goulburn meeting on 7 February 2025 in circumstances where the Greyhound was not free of any prohibited substance

Prohibited Substance(s): Gabapentin

Plea: Guilty

Disciplinary action taken: To issue a fine of \$750

INVESTIGATION

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 17 March 2025, the Commission conducted an investigation into the results of a pre-event urine sample taken from the greyhound, "Unacceptable Mim" at the Goulburn meeting on 7 February 2025.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory confirming the presence of Gabapentin.

DECISION:

1. Mr Markham is a registered Public Trainer, Breeder and Studmaster and the trainer of "Unacceptable Mim" ("the Greyhound"). The Greyhound competed in race 9 of the Goulburn meeting on 7 February 2025. Prior to the Event, a urine sample was taken from the Greyhound.
2. The pre-event swab revealed the presence of Gabapentin.

3. Gabapentin is a prohibited substance under Rule 137 of the Rules.
4. On 9 May 2025 Mr Markham was issued with a notice of charge and proposed disciplinary action ("**Notice**").
5. In the Notice issued on 15 November 2024 the decision makers charged Mr Markham 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 Markham to attend a hearing on Friday 23 May 2025 at which time he would have the opportunity to enter a plea and make submissions in relation to the Charge and proposed penalty. The penalty proposed in the notice was a 2-month suspension.
7. On Monday 19 May 2025, Mr Markham contacted decision makers and;
 - entered a plea of guilty, and
 - entered written submissions
8. On Wednesday 21 May 2025, Mr Markham contacted decision makers and;
 - Entered further written submissions
9. At the hearing held on Friday 23 May 2025 via Microsoft Team Mr Markham;
 - Made verbal submissions
10. In considering the matter, the decision makers considered Mr Markham'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 Markham:

Charge 141(1)(a): To issue a fine of \$750
11. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Mr Markham's Guilty plea (25% reduction)
 - Mr. Markham's personal and professional circumstances;

- The participant submitted veterinary evidence that decision makers considered offered a plausible explanation for the presence of Gabapentin in the greyhound; and
- GWIC penalty guidelines

12. In addition, the Greyhound was disqualified from race 9 at the Goulburn meeting on 7 February 2025 pursuant to Rule 141(4) of the Rules

.....End.....