11 November 2019

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR ANGELO GHIRXI**

**Date of hearing:** 8 November 2019

**Panel:** Judge John Bowman (Chairperson), Judge Graeme Hicks (Deputy Chairperson) and Mr Robert Abrahams.

**Appearances:** Ms Sharn Coombs appeared on behalf of the Stewards.

Mr Angelo Ghirxi represented himself.

**Charge:** Greyhounds Australasia Rule 83(2) states:

The owner, trainer or person in charge of a greyhound-

1. nominated to compete in an Event;
2. presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
3. 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.

**Particulars of charges:** On 20 June 2019 at Warragul, you presented ‘Lorenza’ at the Event not free of any prohibited substance, given that:

1. A post-race sample of urine was taken from ‘Lorenza’ at the Event (**the Sample**); and
2. Meloxicam was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Ghirxi, you have pleaded “guilty” to a breach of GAR83(2) in that on 29 June 2019 you were the trainer of the dog “Lorenza”. The dog was presented for race 6 at Warragul on 20 June 2019. A post-race sample of blood revealed the presence of Meloxicam, which is a prohibited substance. It is in the nature of a pain killer.

You have no explanation as to how the sample came to contain the substance. You think that it may have been in some knackery meat which had been prepared for Lorenza.

It had been explained to you that, if a breach of the rule is detected, even if how the substance got into the dog is unknown and even though you took every precaution you could think of, the rule still applies in such a situation.

You have only been a licenced trainer for about 18 months. You have only had a couple of dogs, essentially out of interest. You have full-time employment in the maintenance industry. You have no relevant prior offences and have pleaded guilty – matters which are very much in your favour. However, we must also keep in mind the issue of general deterrence and the image of the industry. We have looked at the penalties imposed in similar cases involving Meloxicam where other trainers, who have had very good records such as yours, have pleaded “guilty”.

It has been suggested by the Stewards that a fine is the appropriate penalty. We agree. We have fixed a fine of $1,250, with the amount of $1,000 suspended for 12 months. If you offend again during that time, the question of the suspended fine would arise. The amount of the fine that must now be paid is $250.

Further, we disqualify Lorenza from race 6 at Warragul on 20 June 2019 and the finishing order is to be amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal