12 December 2019

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR BRENDAN JONES**

**Date of hearing:** 10 December 2019

**Panel:** Judge John Bowman (Chairperson), Justice Shane Marshall and Ms Judy Bourke.

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Mr Brendan Jones represented himself.

**Charge:** Greyhounds Australasia Rule (GAR) 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 charge:** On 20 May 2019 at Cranbourne, you presented ‘Angel’s Halo’ at the Event not free of any prohibited substance, given that:

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

**Plea:** Guilty

**DECISION**

1. Mr Brendan Jones is a registered greyhound trainer and the trainer, at all material times, of the greyhound ‘Angel’s Halo’. Angel’s Halo competed in race 3 at Shepparton on 20 May 2019. A pre-race swab taken from the greyhound detected the presence of procaine.
2. Stewards of Greyhound Racing Victoria (GRV) have laid a charge against Mr Jones under Greyhounds Australasia Rule (GAR) 83(2) for failing to present the greyhound for an event whilst not being free of a prohibited substance.
3. Procaine is a pain relief medication usually given to livestock. It is capable of affecting the condition or performance of a greyhound by including an artificially pain free state.
4. In August 2016 GRV produced guidelines concerning feeding and medication which provide that:

GRV does not support the feeding of ‘unfit for human consumption meat’ and participants who choose to do so take the risk that prohibited substances may be inadvertently administered.

1. GRV had previously advised trainers against feeding knackery meat with 72 hours of racing. That advice is now out dated and has been replaced with the advice not to use knackery meat.
2. In a Stewards inquiry held for the positive swab, Mr Jones admitted being aware of the old advice about not feeding knackery meat 72 hours before an event but admitted not following the advice. Since the notification of the positive swab he now feeds his greyhounds kangaroo and chicken. He previously took a risk in using knackery meat.
3. Mr Jones has pleaded guilty to the offence. Procaine is considered to be a therapeutic substance under GRV’s Penalty Guidelines document. That document recommends a minimum of a $500 fine and up to a 12 month disqualification. We are informed by that document but not bound by it.
4. In setting a penalty we take into account general deterrence and the importance of keeping a drug free industry. Specific deterrence is not a factor as Mr Jones has changed his feeding regime. We also take into account Mr Jones’ guilty plea and recent penalties in like matters imposed by the GRV Racing Appeals and Disciplinary Board. In all the circumstances we impose a fine of $1,500 of which $500 is suspended pending no further breach of GAR 83 in the next 12 months. In addition, ‘Angel’s Halo’ is disqualified from race 3 at Shepparton on 20 May 2019.

Mark Howard
Registrar, Victorian Racing Tribunal