14 February 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MS CAROL JACKSON**

**Date of hearing:** 12 February 2020

**Panel:** Judge John Bowman (Chairperson), Justice Shane Marshall (Deputy Chairperson) and Dr Andrew Gould.

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

Ms Carol Jackson represented herself.

**Charge:** 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:**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Australasia Rules (GAR).
2. You were, at all relevant times, the trainer of the greyhound *“Mum’s The Word”.*
3. *“Mum’s The Word”* was nominated to compete in Event 2 WILD GRAINS BAKERY FINAL (VICGREYS) Maiden Final Ages Prize Money conducted by the Healesville Greyhound Racing Club at Healesville on 23 June 2019 (**the Event**).
4. On 23 June 2019, you presented “Mum’s The Word” at the Event not free of any prohibited substance, given that:

(a)A post-race sample of urine was taken from *“Mum’s The Word”* at the Event (the Sample);

(b) Arsenic was detected at a mass concentration of greater than 800 nanograms per millilitre in the Sample.

**Plea:** Guilty

**DECISION**

1. Ms Carol Jackson is a registered greyhound trainer and the trainer of the greyhound ‘Mum’s The Word’. The greyhound competed at Healesville on 23 June 2019. A post-race sample of urine taken from the greyhound showed the presence of arsenic at greater than 800 nanograms per millilitre.

1. Stewards of Greyhound Racing Victoria have charged Ms Jackson under (‘GAR’) 83(2) with presenting a greyhound for an event whilst not being free of a prohibited substance.
2. Under GAR 83(11), arsenic at a mass concentration of above 800 ng/ml will result in a breach of GAR 83(2). Ms Jackson has pleaded guilty to the charge.
3. Ms Jackson told a preliminary inquiry into the positive swab that she was aware of the arsenic threshold of 800 ng/ml. The result of the testing in this case was 1565 ng/ml, nearly twice the threshold level. Soil testing done on Ms Jackson’s property showed a higher level of arsenic than would usually be expected.
4. Ms Jackson said ‘Mum’s The Word’ was eating dirt and that a muzzle is now needed to be put on her after she feeds. The greyhound also licks pine posts in the yard, but there is no evidence that the posts consist of treated pine, commonly found to contain arsenic.
5. In setting a penalty, we take into account general deterrence and the importance of keeping a level playing field by maintaining a drug free industry. Given the guilty plea, Ms Jackson’s good record and character and taking into account recent penalties in like matters, we impose a suspension of 6 months wholly suspended for a period of 12 months.
6. In addition ‘Mum’s The Word’ is disqualified from race 2 at Healesville on 23 June 2019.

Mark Howard
Registrar, Victorian Racing Tribunal