10 August 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**CASSENDRA JAYAKODY**

**Date of hearing:** 2 July 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Judge Julie Nicholson.

**Appearances:** Mr Marwan El-Asmar appeared on behalf of the Stewards.

Ms Cassendra Jayakody represented herself.

**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 charges:** 1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.

2. You were, at all relevant times, the trainer of the greyhound “Dyna Virion”.

3.“Dyna Virion” was nominated to compete in, Race 3, Launching Pad Is Coming (225+Rank), Grade 5 No Penalty, conducted by the Sandown Greyhound Racing Club at Sandown on 24 January 2021 (**the Event**).

4.On 24 January 2021, you presented “Dyna Virion” at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from “Dyna Virion” at the Event (**the Sample**);

(b) Theobromine was detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Ms Cassendra Jayakody is a registered greyhound trainer and the trainer of “Dyna Virion”. The greyhound competed in Race 3 at Sandown on 24 January 2021. A pre-race swab showed the presence of theobromine.
2. Theobromine is a metabolite of caffeine. Caffeine is known to improve the performance of greyhounds. It is a stimulant. Greyhound Racing Victoria (“GRV”) has advised trainers to take care not to feed products containing chocolate, which contain caffeine, to their dogs.
3. Ms Jayakody only commenced to train greyhounds on 1 December 2020. She was formerly an owner. This event occurred about seven weeks after she obtained her licence. She believes that the cause of the positive swab was most likely the greyhound eating a chocolate biscuit when they were served to guests at her home which is also her kennel address.
4. Ms Jayakody pleaded guilty at the earliest opportunity and now understands the importance of not having products containing chocolate near her greyhounds.
5. In setting a penalty, we have taken into account the guilty plea, general and specific deterrence and the importance of keeping a level playing field by having a drug free industry. We also take into account recent penalties in like matters.
6. In all the circumstances, we impose a penalty of three months suspension, fully suspended, pending no further breach of Greyhounds Australasia Rule (“GAR”) 83 in the next 24 months.
7. In addition, Dyna Virion is disqualified from Race 3 at Sandown on 24 January 2021.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal