29 October 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR DAVE REID**

**Date of hearing:** 7 October 2020

**Panel:** Judge John Bowman (Chairperson).

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

Mr Dave Reid 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:** 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 “*Franki Jay*”.

3. “*Franki Jay*” was nominated to compete in, Race 11, DOWNLOAD THE NEW WATCHDOG APP, Mixed 4/5, conducted by the Meadows Greyhound Racing Association at The Meadows on 26 February 2020 (**the Event**).

4. On 26 February 2020, you presented “*Franki Jay*” at the Event not free of any prohibited substance, given that:

1. A pre-race sample of urine was taken from “*Franki Jay*” at the Event (**the Sample**);
2. Salbutamol was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Dave Reid, you have pleaded guilty to a breach of Greyhounds Australasia Rule (“GAR”) 83(2). You are the trainer of “Franki Jay” which competed in Race 11 at the Meadows on 26 February 2020. The dog ran third. A pre-race urine sample revealed the presence of the prohibited substance, Salbutamol.

Salbutamol is a substance which can have a positive effect upon a greyhound’s performance. It is a medication which can be found in Ventolin, which is used in the treatment of lung complaints.

At the time of the dog racing on 26 February 2020, you were in fact in hospital and a friend of yours, who is also a trainer, took the dog to the Meadows. You were in poor health at the time and essentially were in and out of hospital with lung problems for about a month. This offence occurred at that time. You were using Ventolin five times a day.

You have just the one dog which is racing and whilst you were using the Ventolin repeatedly you handled the dog without wearing gloves and without washing your hands. The Stewards accept that this was the most likely cause of the positive return to Salbutamol.

As stated, you are not in the best of health and have just the one dog racing, although you also have some pups and kennel a small number of dogs for a friend. You are aged 74 and your only source of income is a pension. However, as you stated, the dogs are your life. You have now been licenced since 2014, but also trained earlier in your life. Your record is very good.

General deterrence must be borne in mind. Greyhound Racing Victorian (“GRV”) have sent out notices about the possible transmission of substances contained in human medication such as Ventolin. Hand washing and the wearing of gloves can be very important. I am confident that you have learned your lesson.

In all the circumstances, a period of 6 months suspension is imposed, but that is in turn suspended for 12 months.

In addition, you are fined the sum of $350. I appreciate that this is a little below what could be described as “the going rate”, but I have taken into account your age, your financial circumstances, your excellent record and the circumstances in which the offence occurred, including your health.

Finally, Franki Jay is disqualified from Race 11 at the Meadows on 26 February 2020.

Mark Howard
Registrar, Victorian Racing Tribunal