31 March 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**DAVID WILLCOCKS**

**Date of hearing:** 22 March 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Ms Maree Payne.

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

Mr David Willcocks failed to appear at the hearing.

**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 “Big Bash Punter”.

3. “Big Bash Punter” was nominated to compete in, Race 5, GREYHOUND CLUBS VICTORIA HT2, Mixed 6/7 Heat, conducted by the Healesville Greyhound Racing Association at Healesville on 15 June 2020 (the Event).

4. On 15 June 2020, you presented “Big Bash Punter” at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from “Big Bash Punter” at the Event (the Sample);

(b) Procaine was detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Mr David Willcocks is a registered greyhound trainer and the trainer of the greyhound “Big Bash Punter”. He is a hobby trainer with a comparatively small number of greyhounds. The greyhound competed in race 5 at Healesville on 15 June 2020. A post-race sample of urine taken from Big Bash Punter showed the presence of procaine.
2. Stewards of Greyhound Racing Victoria (“GRV”) have charged Mr Willcocks with presenting a greyhound for an event while not free of a prohibited substance contrary to Greyhounds Australasia Rule (“GAR”) 83(2). Mr Willcocks has pleaded guilty to the offence.
3. The cause of the positive swab was the feeding of knackery meat purchased from a pet supply shop to his greyhound. Mr Willcocks fed his greyhound fit for human consumption meat in the two days prior to the race, but otherwise fed his greyhound knackery meat. He told a preliminary inquiry that he still uses knackery meat because it is difficult to get human consumption meat. Continued use of knackery meat may imperil his future in greyhound racing.
4. GRV has given frequent advice since 2016 to trainers not to use knackery meat. At first, it advised trainers not to use such meat three days before a race. Now the advice is not to use it at all, because of the danger of inadvertent positive swabs to a range of prohibited substances not confined to procaine.
5. In setting a penalty in this matter, we take into account the guilty plea. We also taken into account a prior transgression against GAR83(2) regarding caffeine and its metabolites. General and specific deterrence are important considerations in the exercise of our sentencing discretion, as is the importance of maintaining a level playing field by keeping a drug free industry. We further take into account recent penalties in like matters and previous admonitions by the former Racing and Appeals and Disciplinary Board and this Tribunal that there are too many cases relating to the use of knackery meat and that penalties may need to be increased to get the message across to trainers.
6. In all the circumstances we impose a penalty of 3 months suspension, fully suspended for 24 months pending no further breach of GAR 83 in that time. We also impose a fine of $2,000 with $1,000 suspended for 24 months.
7. In addition, Big Bash Punter is disqualified from race 5 at Healesville on 15 June 2020.
8. We note that Mr Willcocks was given notice of the hearing and failed to answer his telephone after several attempts by the Registrar. If he is unhappy with the penalty, he is able to appeal to the Victorian Civil and Administrative Tribunal. However, it is consistent with two recent matters involving positive swabs to procaine where trainers had a prior prohibited substance offence.

Mark Howard
Registrar, Victorian Racing Tribunal