28 July 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**DES DOUCH**

**Date of hearing:** 27 July 2022

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Judge Kathryn Kings.

**Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.

Mr Des Douch represented himself.

**Charge:**  Greyhounds Australasia Rule (GAR) 83(2) states:

The owner, trainer or person in charge of a greyhound-

(a) nominated to compete in an Event;

(b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or

(c) 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 “Three Wishes”.

3.Three Wishes was nominated to compete in Race 3, IAN CARTER BUILDER (2-3 WINS), Restricted Win, conducted by the Sale Greyhound Racing Club at Sale on 3 December 2021 (the Event).

4. On 3 December 2021, you presented Three Wishes at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from Three Wishes 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**

Mr Des Douch has been involved in greyhound racing for nine years. He has been a registered public trainer since 2014 and currently trains one greyhound. He is 62 years of age.

According to Dr Steven Karamatic, Chief Veterinarian at Greyhound Racing Victoria (“GRV”), the most likely source of the arsenic is from the kennel block housing Mr Douch’s greyhounds where it is obvious that contaminated treated pine has been chewed upon by his greyhounds. Mr Douch would agree, although he does not discount the theory that arsenic contaminated soil was also a factor.

Mr Douch’s greyhounds have been subject to over 200 samples and he has had a previous presentation charge to which he pleaded guilty in April 2020, albeit for dehydronorketamine, a metabolite of ketamine, found in knackery meat.

Since the finding of arsenic in the post-race sample of “Three Wishes”, Mr Douch has added poly pipe to cover the areas where his greyhounds have previously been chewing timber. This has been an effective response with no further positive swabs.

Whilst soil contamination can be the reason leading to a positive swab sample, there is no empirical evidence to support that in this case.

We note Mr Douch’s plea of guilty, his co-operation with Stewards and recent penalties in like cases where arsenic has been found in kennelling housing.

In the circumstances, we impose a six month suspension with four months of that suspension to be wholly suspended for 12 months. We are not persuaded to make that period 24 months despite the urgings of the Stewards.

Finally, we order that the greyhound, Three Wishes, be disqualified from Race 3 at Sale on 3 December 2021 and that the finishing order be amended accordingly.

Mark Howard
Registrar, Victorian Racing Tribunal