25 February 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR DOUGLAS HAMMERSTEIN**

**Date of hearing:** 24 February 2020

**Panel:** Judge John Bowman (Chairperson), Justice Shane Marshall (Deputy Chairperson) and Ms Maree Payne.

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

Mr Douglas Hammerstein represented himself.

**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 *“Jacobite Hammer”.*
3. *“Jacobite Hammer”* was nominated to compete in Event 11, TAB MULTIPLIER (250+ RANK), Grade 5 No Penalty, conducted by the Horsham Greyhound Racing Club at Horsham on 10 September 2019 (**the Event**).
4. On 10 September 2019, you presented “Jacobite Hammer” at the Event not free of any prohibited substance, given that:

(a)A post-race sample of urine was taken from *“Jacobite Hammer”* at the Event (the Sample);

(b) Heptaminol was detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Mr Douglas Hammerstein is a registered greyhound trainer and the trainer of the greyhound ‘Jacobite Hammer’. Jacobite Hammer competed in race 11 at Horsham on 10 November 2019 and won the race. A post-race sample of urine taken from the greyhound showed the presence of the prohibited substance, heptaminol.
2. Heptaminol is a drug which can affect the cardiovascular system of a greyhound. It is a cardiac stimulant that widens blood vessels. It is likely to have a positive effect on the performance of a greyhound and can prevent muscle fatigue. It can be transmitted to a greyhound as a result of the eating of knackery meat from cattle which have been injected with heptaminol. Indeed, this is the most likely cause of the contamination in this case.
3. Stewards of Greyhound Racing Victoria have charged Mr Hammerstein under Greyhounds Australasia Rule (‘GAR’) 83(2) with presenting a greyhound for an event while not being free of a prohibited substance. Mr Hammerstein has pleaded guilty to the offence. He was not aware of the risks of contamination caused by the use of knackery meat.
4. In setting a penalty we take into account general deterrence, specific deterrence and the importance of keeping a level playing field by maintaining a drug free industry. We also take into account Mr Hammerstein’s good record over 27 years as a trainer and also penalties in like matters. We take into account that Mr Hammerstein no longer feeds knackery meat to his greyhounds, but uses kangaroo meat and chicken.
5. In the circumstances, we impose a penalty of 6 weeks suspension, which shall commence immediately. But for the excellent record of Mr Hammerstein the penalty would have been appreciably higher.
6. In addition, Jacobite Hammer is disqualified from race 11 at Horsham on 10 November 2019.

Mark Howard
Registrar, Victorian Racing Tribunal