27 October 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**GAVIN GLEDHILL**

**Date of hearing:** 27 October 2022

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

**Appearances:** Ms Yana Podolskaya appeared on behalf of the Stewards.

Mr Gavin Gledhill represented himself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 83(1A) states:

(1A) A person who –

(a) administers, attempts to administer or causes to be administered a prohibited substance to a greyhound;

(b) aids, abets counsels or procures any person to administer a prohibited substance to a greyhound; or

(c) has prior knowledge of a prohibited substance being administered to a greyhound

 which is detected in any sample taken from such greyhound that has been presented for an Event or when subject to any other contingency provided for pursuant to these Rules, shall be guilty of an offence.

GAR 83(2) states:

(2) 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.

 GAR 84A(2) states:

 (2) Each record of treatment kept in accordance with this rule must be made by midnight on the day on which the treatment was given and, as a minimum requirement, include the following information:

a) Name of the greyhound;

b) Date and time of administration of the treatment;

c) Name of the treatment (brand name or active constituent);

d) Route of administration;

e) Amount given;

f) Name and signature of person or persons administering and/or authorising treatment.

For the purposes of sub-rule (2), “day” means the 24-hour period from 12:01am to 12 midnight on any calendar day.

**Particulars of charges:** **Charge 1: GAR 83(1A)**

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.
2. You were, at all relevant times, the trainer of the greyhound “Itchy Kaala”.
3. Itchy Kaala was presented for, and competed in, Race 9, GPP 3300 LASER (1-3 WINS) (275+ RANK), Restricted Win, conducted by the Shepparton Greyhound Racing Club at Shepparton on 15 November 2021 (the Event).
4. You administered, or caused to be administered, to Itchy Kaala, a prohibited substance, being Cobalt, which was detected in a sample taken from Itchy Kaala in that:

(a) you administered three (3) products containing Cobalt, namely ‘Uniferon Iron Dextran Injection’, MULTI B and ‘V.A.M Injection’, to Itchy Kaala between 1 and 15 November 2021.

(b) A pre-race sample of urine was taken from Itchy Kaala at the Event (the Sample);

(c) Cobalt was detected in the Sample at a mass concentration of greater than 100 nanograms per millilitre.

 **Charge 2: GAR 83(2)**

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 “Itchy Kaala”.
3. Itchy Kaala was nominated to compete in, Race 9, GPP 3300 LASER (1-3 WINS) (275+ RANK), Restricted Win, conducted by the Shepparton Greyhound Racing Club at Shepparton on 15 November 2021 (the Event).
4. On 15 November 2021, you presented Itchy Kaala at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Itchy Kaala at the Event (the Sample);

(b) Cobalt was detected in the Sample at a mass concentration of greater than 100 nanograms per millilitre.

 **Charge 3: GAR 84A(2)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Racing Victoria Rules of Racing.
2. On 17 December 2021, you presented treatment records for inspection, upon request from GRV Steward Anthony Pearce, a person authorised by the Controlling Body, for greyhounds for which you were the responsible person at the relevant time.
3. You did fail to record the minimum requirements for treatments recorded by you, namely the treatment of ‘Iron’, ‘Multivitamin B’ and ‘V.A.M’ recorded in a notebook, in that you:

(a) failed to record the name of the greyhound or greyhounds to which the treatment was given to;

(b) failed to record the date and time of administration of the treatment;

(c) failed to record the route of administration of the treatment;

(d) failed to record the signature of person or persons administering and/or authorising the treatment.

 **Charge 4: GAR 83(2)**

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 “Ivanka Tea”.
3. Ivanka Tea was nominated to compete in Race 10, TRIALS EVERY WEDNESDAY, Mixed 4/5, conducted by the Healesville Greyhound Racing Association at Healesville on 30 January 2022 (the Event).
4. On 30 January 2022, you presented “Ivanka Tea” at the Event not free of any prohibited substance, given that:

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

(b) Hydrochlorothiazide was detected in the Sample.

**Pleas:** Guilty

**DECISION**

1. Mr Gavin Gledhill is a registered greyhound trainer of longstanding. He is the trainer of the greyhounds “Itchy Kaala” and “Ivanka Tea”. Itchy Kaala competed in Race 9 at Shepparton on 15 November 2021. Ivanka Tea competed in Race 10 at Healesville on 30 January 2022. Itchy Kaala returned a positive swab to cobalt at a prohibited level. Ivanka Tea returned a positive swab to the prohibited substance hydrochlorothiazide.
2. Cobalt is a prohibited substance when found at or above a mass concentration of 100 nanograms (“ng”) per millilitre (“ml”) in a sample of urine. It is a naturally occurring trace element, which is normally present in greyhounds at very low levels due to normal dietary intake.
3. Hydrochlorothiazide is a diarrhetic medication often used to treat high blood pressure. Mr Gledhill suffers from high blood pressure.
4. The high cobalt reading occurred as a result of Mr Gledhill feeding Itchy Kaala substances containing cobalt. He believed that a seven day withholding period was sufficient to allow the drug not to show up in the urine of a greyhound in a race day swab. He was wrong. About a week before the race, he fed Itchy Kaala supplements which all contained cobalt. They were “Uniferon Iron Dextran Injection”, multi vitamin B and “V.A.M Injection”. None of these substances should ever be given at any time to racing greyhounds, as a positive swab to cobalt is likely to occur.
5. The positive swab to hydrochlorothiazide was caused due to Mr Gledhill taking his blood pressure tablets and then not washing his hands properly and transmitting the drug to Ivanka Tea. Since August 2016, Greyhound Racing Victoria (“GRV”) has been warning trainers in official publications about the danger of human use medication being transmitted to greyhounds.
6. Stewards of GRV have charged Mr Gledhill with two presentation offences in respect of each greyhound. They have also charged Mr Gledhill with an administration offence in relation to Itchy Kaala. In addition, he is also charged with a failure to comply with the recording requirements of treatments pursuant to Greyhounds Australasia Rule (“GAR”) 84A(2). The single administration charge is under GAR 83(1A) and the two presentation charges are under GAR 83(2).
7. In setting penalties, we take into account general and specific deterrence and the importance of keeping a level playing field by having a drug free industry. We also take into account the early guilty pleas, Mr Gledhill’s good record and his cooperation with the Stewards. We further take into account recent penalties in like cases.
8. On the administration charge with respect to Itchy Kaala and cobalt, we impose a penalty of 12 months suspension, with 10 months suspended for a period of 24 months pending no further breach of the relevant Rule in that time.
9. On the presentation charge concerning Itchy Kaala, we impose the same penalty as Charge 1 but make that penalty wholly concurrent with the penalty imposed on Charge 1.
10. On the treatment book charge, we impose a penalty of a $400 fine.
11. On the second presentation charge concerning Ivanka Tea, we impose a penalty of a $400 fine.
12. In addition, Itchy Kaala is disqualified from Race 9 at Shepparton on 15 November 2021 and Ivanka Tea is disqualified from Race 10 at Healesville on 30 January 2022.
13. The effective period of two months suspension shall commence immediately.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal