29 November 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**GERARD O’KEEFFE**

**Date of hearing:** 23 November 2022

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Judge Kathryn Kings.

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

Mr Gerard O’Keeffe represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 141(1) states:

(1) The owner, trainer or other person in charge of a greyhound: (a) nominated to compete in an Event;

(b) presented for a satisfactory trial or such other trial as provided for by the Rules; or

(c) presented for any test or examination for the purpose of a stand-down period being varied or revoked, must 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 “Team Staffing”.

3. Team Staffing was nominated to compete in Race 4, WILD GRAINS BAKERY FINAL (VICGREYS), Mixed 6/7 Final, conducted by the Healesville Greyhound Racing Association at Healesville on 15 May 2022 (the Event).

 4. On 15 May 2022, you presented Team Staffingat the Event not free of any prohibited substance, given that:

* 1. A pre-race sample of urine was taken from Team Staffing at the Event (the Sample);
	2. Procaine was detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Mr Gerard O’Keeffe is a registered greyhound trainer and the trainer of the greyhound “Team Staffing”. Team Staffing competed in race 4 at Healesville on 15 May 2022. Mr O’Keeffe is a hobby trainer who relies on this activity for his physical and mental health.
2. A pre-race swab revealed the presence of procaine in the urine of the greyhound. Procaine is a short lived local anaesthetic which can induce a pain free state and has the capacity to be performance enhancing.
3. Stewards of Greyhound Racing Victoria (“GRV”) have charged Mr O’Keeffe with a presentation offence under Greyhounds Australasia Rule (“GAR”) 141 on account of his presenting Team Staffing for an event while not free of a prohibited substance. Procaine at any level is a prohibited substance under the Rules of greyhound racing applicable in the state of Victoria.
4. The cause of the positive swab was the feeding of knackery meat to the greyhound 36 hours out from the race. GRV has previously issued warnings to trainers about the use of knackery meat within 72 hours of a race. Mr O’Keeffe has adjusted his use of knackery meat to take that withholding period into account. He also stated that his fit for human consumption meat is now stored separately from his knackery meat, given the possibility that knackery meat was fed to the greyhound in error. Mr O’Keeffe informed the Tribunal that he now uses only fit for human consumption meat.
5. Mr O’Keeffe pleaded guilty to the offence. In imposing a penalty, we take into account his guilty plea and the importance of specific and general deterrence. We also take into account the importance of keeping a level playing field by having a drug free industry. We further take into consideration recent penalties in like matters and Mr O’Keeffe’s relatively good record, with one prohibited substance prior offence of relatively minor importance nearly 6 years ago. In all the circumstances we impose a penalty of 3 months suspension which is fully suspended for 24 months pending no further breach of the Rules of greyhound racing relating to prohibited substances and we impose a fine of $2,000 with $1,000 suspended for a period of 24 months pending no further breach of those Rules.
6. Additionally, Team Staffing is disqualified from race 4 at Healesville on 15 May 2022.

Mark Howard
Registrar, Victorian Racing Tribunal