12 August 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**GLEN BURNS**

**Date of hearing:** 8 August 2022

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

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

Mr Glen Burns 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 “Leo Giblet”.

3. Leo Giblet was nominated to compete in Race 9, THE BARN BAR (2-4 WINS), Tier 3 - Restricted Win, conducted by the Warragul Greyhound Racing Club at Warragul on 22 November 2021 (the Event).

4. On 22 November 2021, you presented Leo Giblet at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from Leo Giblet at the Event (the Sample);

(b) Lamotrigine was detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Mr Glen Burns is a registered greyhound trainer with only a few years experience as an owner and trainer. On 22 November 2021, he entered “Leo Giblet” in Race 9 at Warragul. A post-race swab revealed the presence of lamotrigine. Lamotrigine is a prohibited substance under the Rules of greyhound racing and can have a positive effect on performance.
2. Mr Burns takes tablets containing lamotrigine for a medical condition. He used to break the tablets in half before consuming part of them and he occasionally did not wash his hands before feeding his greyhounds. He now wears gloves when he feeds his greyhounds. Failure to wash his hands after taking his personal medication has led to the positive swab in this case.
3. Greyhound Racing Victoria (“GRV”) has communicated with trainers through its magazine about the dangers of contamination of greyhounds from prohibited substances arising from the taking of personal medications. Mr Burns is a relatively inexperienced trainer and was not aware of these warnings. He has now taken steps to minimise the prospect of him contaminating his greyhounds in the future by the wearing of gloves.
4. Mr Burns has pleaded guilty to a presentation charge under Greyhounds Australasia Rule (“GAR”) 83(2). In setting a penalty, we take into account the guilty plea and Mr Burns’ good record in his short time as a trainer. We also take into account recent penalties in like matters, general deterrence and the importance of having a level playing field by keeping a drug free industry. We also take into account that this was Mr Burns’ first offence under GAR 83.
5. In all the circumstances, we impose a penalty of four months suspension, but wholly suspend that for 24 months pending no further breach of GAR 83 in that time.
6. Leo Giblet is disqualified from Race 9 at Warragul on 22 November 2021.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal