11 October 2019

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR JOHN CARR**

**Date of hearing:** 7 October 2019

**Panel:** Judge John Bowman (Chairperson)

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

Mr Lynton Hogan appeared on behalf of Mr Carr.

**Charge:** Greyhounds Australasia Rule 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:** “New Fire Girl” was nominated to compete in, Race 7, MERV JENNINGS SIGNS No.2, Aged Prize Money, conducted by the Geelong Greyhound Racing Club at Geelong on 16 April 2019 (the Event).

On 16 April 2019, you presented “New Fire Girl” at the Event not free of any prohibited substance, given that:

1. A post-race sample of urine was taken from “New Fire Girl” at the Event (the Sample);
2. Atenolol was detected in the Sample .

**Plea:** Guilty

**DECISION**

1. Mr John Carr is a registered greyhound trainer and the trainer of the greyhound “New Fire Girl”. New Fire Girl competed in race 7 at Geelong on 16 April 2019. A post-race sample of urine taken from the greyhound revealed the presence of the prohibited substance Atenolol.
2. Stewards of Greyhound Racing Victoria (GRV) have charged Mr Carr with breaching Greyhounds Australasia Rule (GAR) 83(2) by presenting a greyhound for an event while not free of a prohibited substance. Mr Carr pleaded guilty to the charge.
3. According to GRV’s Chief Veterinary Officer, Dr Karamatic, Atenolol is a beta blocker which slows the heartbeat and is capable of affecting the performance of a greyhound in a negative way.
4. Atenolol is present in blood pressure tablets taken by Mr Carr. Although Mr Carr says that he has taken the tablets since 2004 and has been training for over 30 years and is careful not to infect his greyhounds, contamination from personal medication seems to be the most likely cause of the positive swap.
5. Whatever the source of the contamination, Mr Carr, as the registered trainer, remains responsible for the greyhound being presented to race in a drug free state. It does not matter that the greyhound ran second and raced up to its usual time. The problem is that the drug still had the capacity to affect the result of the race.
6. According to Dr Karamatic, Atenolol falls under the heading “stimulants, depressants and other prohibited substances” in GRV’s penalty guidelines document. The suggested minimum penalty for a breach of GAR 83(2) in respect of Atenolol is a three month suspension and a $1,500 fine. We are informed by those guidelines but not bound by them.
7. In setting a penalty, we take into account Mr Carr’s guilty plea at a relatively early stage, his good character and his cooperation with the Stewards. We also take into account that Mr Carr has one prior offence for breaching GAR 83 in respect of stanozolol. We further take into account specific and general deterrence, the importance of keeping a level playing field by maintaining a drug free environment and, importantly, recent penalties in like matters.
8. Although the breach of Rule GAR(2) was inadvertent, it is still a matter to be taken seriously. General deterrence is the most important consideration, as trainers must be careful not to contaminate their greyhounds with their own personal medication.
9. We find the charge proven. We impose a penalty of two months suspension. That suspension shall commence immediately. In addition “New Fire Girl” is disqualified from race 7 at Geelong on 16 April 2019.

Mark Howard
Registrar, Victorian Racing Tribunal