29 September 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JULIE WARD**

**Date of hearing:** 23 September 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Ms Heidi Keighran.

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

Ms Julie Ward represented himself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 83(2)(a) states:

(2) The owner, trainer or person in charge of a greyhound-

1. nominated to compete in an Event;

shall present the greyhound free of any prohibited substance.

GAR 84A(1) states:

(1) The person in charge of a greyhound must keep and retain records detailing all vaccinations, antiparasitics and medical treatments administered to a greyhound from the time the greyhound enters their care until the greyhound leaves their care and for a minimum of two (2) years. Such record of treatment must be produced for inspection when requested by a Steward or a person authorised by the Controlling Body. Any person responsible for a greyhound at the relevant time who fails to comply with any provision of this rule shall be guilty of an offence.

**Particulars of charges:** **Charge 1**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 36752) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of greyhound “Tin Can Sam” (VHOOE)
3. “Tin Can Sam” was nominated to compete in Race 5 conducted by the Shepparton Greyhound Racing Club at Shepparton on the 11th of February 2021. (**the Event)**
4. On 11th of February 2021, you presented “Tin Can Sam” at the Event not free of any prohibited substance given that:
5. A pre-race sample of urine was taken from “Tin Can Sam” at the Event (**the Sample)**;
6. Cobalt > 200ng/mL was detected in the sample.

**Charge 2**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 36752) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were, at all relevant times, the trainer of greyhound “Tin Can Sam” (VHOOE)
3. “Tin Can Sam” was nominated to compete in Race 5 conducted by the Shepparton Greyhound Racing Club at Shepparton on the 11th of February 2021. (**the Event)**
4. On 11th of February 2021, you presented “Tin Can Sam” at the Event not free of any prohibited substance given that:
5. A pre-race sample of urine was taken from “Tin Can Sam” at the Event (**the Sample)**;
6. Naloxone and Oxymorphone was detected in the sample.

**Charge 3**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 36752) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.
2. You were the registered trainer of greyhound “Tin Can Sam” (VHOOE) between 4/11/19 and 11/12/20 and again from 3/2/21.
3. You did fail to keep, nor maintain, Treatment Records for “Tin Can Sam”

**Pleas:** Guilty

**DECISION**

1. Ms Julie Ward is a registered greyhound trainer. She has been a public trainer since 21 January 2015. At all material times she was the trainer of the greyhound "Tin Can Sam". The greyhound competed in race 5 at Shepparton on 11 February 2021 and finished second. A pre-race swab taken from the greyhound showed the presence of the prohibited substances naloxone and oxymorphone, a metabolite of oxycodone and cobalt, at a level greater than 200 nanograms per millilitre.
2. This has resulted in Stewards of Greyhound Racing Victoria ("GRV") charging Ms Ward with two offences under Greyhounds Australasia Rule ("GAR") 83(2). One charge relates to cobalt and the second to the other two substances. Ms Ward has also been charged under GAR84A(1) with failing to maintain treatment records for Tin Can Sam. She has pleaded guilty to all offences.
3. Cobalt is a naturally occurring trace element that is normally present in greyhounds at very low levels as a result of normal diet. At levels above 200 ng/ml it is a permanently banned substance. Oxycodone is also a permanently banned substance, which affects the cardiovascular and nervous systems of greyhounds. Naloxone is a therapeutic substance which is used to reverse the effects of opiates.
4. At a kennel inspection Stewards found several products containing cobalt. They are listed in a report of Greyhound Industry Veterinarian, Dr Karamatic, which is before the Tribunal. Also, Targin tablets containing oxycodone and naloxone were produced at the kennel inspection. They belong to Ms Ward's partner. Some of the products containing cobalt, such as VAM and Uniferon, were regularly injected into greyhounds at the kennel. Other testing for Tin Can Sam on other race days after 11 February 2021 showed cobalt at very low levels. The same applied to recent testing of Ms Ward's other greyhounds. Each of the drugs found in Tin Can Sam's system has a performance enhancing effect except with high dosages, according to Dr Karamatic.
5. When questioned by the Stewards, Ms Ward said that she had no excuse for her not having a treatment book. She believed that the non-cobalt substances would have come from cross transmission from her partner, who was on Targin. Ms Ward also believed that her partner had fed cobalt containing products to the greyhound, but due to a lack of a treatment book, this could not be confirmed. Although Ms Ward's partner contaminated the greyhound with prohibited substances and fed the greyhound impermissible amounts of cobalt, she, as the registered trainer, is responsible for the consequences.
6. In seeking a penalty for the charges, we take into account the guilty pleas, Ms Ward's excellent character and her good record in the industry. We also take into account general deterrence and the importance of maintaining a level playing field by having a drug free industry. We will take into account recent penalties given by the Tribunal in like cases.
7. On the first charge under GAR 83 (2) in respect of cobalt, we impose a penalty of 12 months suspension with 10 months suspended for 24 months pending no breach of GAR 83 in that time.
8. On the second charge under GAR 83 (2) in respect of the other substances we impose a penalty of 12 months suspension with 10 months suspended for 24 months pending no breach of GAR 83. The suspension shall be served concurrently with the suspension under charge 1. In addition, we impose a $1,500 fine, with $1,000 suspended for 24 months pending no further breach of GAR 83 in that time.
9. On the third charge, being one under GAR 84A(1), we impose a fine of $300 cumulative upon the fine under charge 2.
10. The effective suspension of 2 months shall commence immediately. In addition, Tin Can Sam is disqualified from race 5 at Shepparton on 11 February 2021.

Mark Howard
Registrar, Victorian Racing Tribunal