15 June 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**LACHLAN VINE**

**Date of hearing:** 7 June 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Greg Childs.

**Appearances:** Mr Patrick Considine, instructed by Mr Marwan El-Asmar, appeared on behalf of the Stewards.

Mr Lachlan Vine represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 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 charges:** 1. You were at all relevant times, a trainer (licence number 243284) licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2.You were, from on or around 25 February 2020 to 3 March 2020, the trainer of the greyhound “More Deductions”.

3.“More Deductions” was nominated to compete in, Race 6, Jims Mowing-Geelong, Grade 5, conducted by the Geelong Greyhound Racing Club at Geelong on 28 February 2020 (**the Event**).

4. You failed to present “More Deductions” at the Event free of any prohibited substance, given that:

(a) A pre-race urine sample was taken from “More Deductions” at the Event (**the Sample**);

(b) Benzoylecgonine was detected in the Sample.

**Plea:** Not Guilty

**DECISION**

1. At all material times Mr Lachlan Vine was a registered greyhound trainer and trained from premises in Devon Meadows, shared with another trainer, Mr Braden Finn. Mr Finn and Mr Vine were friends. Both were registered trainers at the same address. Mr Finn was, at all material times, a regular user of cocaine.
2. Mr Finn, prior to 25 February 2020, was the trainer of the greyhound “More Deductions”. Just prior to 25 February 2020, he asked Mr Vine if he could transfer the registered training of More Deductions to Mr Vine. The reason was his registration was due to expire on 25 February 2020 and he had forgotten to renew it. He had entered More Deductions for Race 6 at Geelong on 28 February 2020 and wanted the greyhound to run in that race.
3. Mr Vine regretted agreeing to transfer the dog later in the day that it happened, but was committed to it. However, in practice and reality, the greyhound remained in the care of Mr Finn. Knowing that the greyhound was running at Geelong, Mr Vine tried to keep Mr Finn away from it in the lead up to the race. Nevertheless, it is more likely than not that Mr Finn contaminated the greyhound.
4. As a result, More Deductions tested positive after the Geelong race to Benzoylecgonine (“BNZ”), a metabolite of cocaine. Cocaine is capable of affecting the condition or performance of a greyhound and any effect is more likely to be positive by reducing fatigue.
5. The greyhound was driven to Geelong by a Mr Hoby, a friend of Mr Finn and was handled by a registered participant called Mr Talerico, again arranged by Mr Finn. For all intents and purposes, other than Mr Vine keeping Mr Finn away from the greyhound in the two days leading up to the race, Mr Finn continued to do the actual training, although he was not re-registered as the trainer of More Deductions until 3 March 2020. At that time, Mr Vine ceased to be registered as the trainer of the greyhound.
6. However, Mr Vine was entitled to scratch the dog from the race and acknowledged that, as the registered trainer, he was empowered to do so.
7. We consider that all elements of the offence are made out and that Mr Vine is guilty of breaching Greyhounds Australasia Rule (“GAR”) 83(2) in that he, as the registered trainer, presented the greyhound for the Geelong event while not free of a prohibited substance.

**PENALTY**

1. On the question of penalty, we take into account specific and general deterrence, denunciation and the importance of keeping a level playing field by having a drug free industry. We also take into account recent penalties in like matters. We further take into account that Mr Vine tried to keep Mr Finn away from the dog, but that the contamination occurred as much as three days before the race in all likelihood and that it would have been difficult to stop that contamination in any event.
2. In all the circumstances, we impose a penalty of nine months disqualification. We also disqualify More Deductions from Race 6 at Geelong on 28 February 2020.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal