10 February 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MARC CAHILL**

**Date of hearing:** 20 January 2022

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

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

Mr Marc Cahill represented himself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 83(1A) states:

 (1A) A person who –

(a)administers, attempts to administer or causes to be administered a prohibited substance to a greyhound;

(b) aids, abets counsels or procures any person to administer a prohibited substance to a greyhound; or

(c) has prior knowledge of a prohibited substance being administered to a greyhound

which is detected in any sample taken from such greyhound that has been presented for an Event or when subject to any other contingency provided for pursuant to these Rules, shall be guilty of an offence.

GAR 83(2) states:

(2) 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 charges: Charge 1: GAR 83(1A)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Australasia Rules.
2. You were, at all relevant times, the trainer of the greyhound “Forensic Lass”.
3. Forensic Lass was presented for, and competed in, Race 3, BACKMANS PET FOODS, Tier 3 – Grade 7, conducted by the Ballarat Greyhound Racing Club at Ballarat on 22 February 2021 (the Event).
4. You administered, or caused to be administered, to Forensic Lass, a prohibited substance, being Levamisole which was detected in a sample taken from Forensic Lass in that:

(a) you administered a product containing Levamisole, namely “Fido’s Closasole tablets”, to Forensic Lass on or around 21 February 2021;

(b) A post-race sample of urine was taken from Forensic Lass at the Event (the Sample);

(c) Levamisole was detected in the Sample.

**Charge 2: GAR 83(2)**

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 “Forensic Lass”.
3. Forensic Lass was nominated to compete in, Race 3, BACKMANS PET FOODS, Tier 3– Grade 7, conducted by the Ballarat Greyhound Racing Club at Ballarat on 22 February 2021 (the Event).
4. On 22 February 2021, you presented Forensic Lass at the Event not free of any prohibited substance, given that:

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

(b)Levamisole was detected in the Sample.

**Pleas:** Guilty to all charges

**DECISION**

1. Mr Marc Cahill is a long standing registered greyhound trainer and was the trainer at the material time of the greyhound, “Forensic Lass”. Forensic Lass competed in Race 3 at Ballarat on 22 February 2021. A post-race sample of urine taken from the greyhound showed the presence of the prohibited substance, levamisole.
2. Stewards of Greyhound Racing Victoria (“GRV”) have charged Mr Cahill with offences under Greyhounds Australasia Rule (“GAR”) 83(1A) in relation to administration of a prohibited substance and GAR 83(2) in relation to presentation of a greyhound for an event while not free of a prohibited substance. Mr Cahill has pleaded guilty to both charges.
3. Levamisole is an anti-parasitic drug. It is found in a product called “Fido’s Closasole tablets”. On or about 21 February 2021, a day before the race, Mr Cahill gave two and a half tablets to Forensic Lass.
4. Levamisole is known to have side effects, such as, vomiting and diarrhoea, as well as anaemia. It is capable of affecting the performance or condition of a greyhound in a dose dependent way. In low doses it may have a positive effect, but in high doses it may have a negative effect and be toxic.
5. Mr Cahill has an unblemished record in his over 20 years as a hobby trainer. The offending in this matter was inadvertent. He has learned from the experience. At the time, Mr Cahill did not realise that the product was prohibited and admits that he was negligent in using that particular worming tablet.
6. In all the circumstances, on Charge 1 (administration) we impose a penalty of three months suspension, wholly suspended for a period of 12 months. On Charge 2 (presentation) we impose a $250 fine, which is wholly suspended for a period of 12 months. Both suspended penalties are suspended pending no further breach of GAR 83.
7. In addition, we disqualify Forensic Lass from Race 3 at Ballarat on 22 February 2021 and order that the finishing order be adjusted accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal