11 April 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**NEVILLE WAKEFIELD**

**Date of hearing:** 30 March 2022

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Ms Maree Payne.

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

Mr Gerard O’Keeffe represented Mr Neville Wakefield.

Ms Colleen Mason appeared as a witness.

**Charges:**  Greyhounds Australasia Rule (“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**

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 “Ultimate Mayhem”.
3. Ultimate Mayhem was nominated to compete in, Race 9, TOP RUN IMAGES (2-3 WINS), Restricted Win, conducted by the Warragul Greyhound Racing Club at Warragul on 19 February 2021 (the Event).
4. On 19 February 2021, you presented “Ultimate Mayhem” at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from “Ultimate Mayhem” at the Event (the Sample);

(b) Salbutamol was detected in the Sample.

**Charge 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 “Security Man”.
3. Security Man was nominated to compete in, Race 3, TAB Venue Mode (1-3 Wins) (275+ RANK), Restricted Win, conducted by the Warragul Greyhound Racing Club at Warragul on 16 July 2021 (the Event).
4. On 16 July 2021, you presented Security Man at the Event not free of any prohibited substance, given that:

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

(b) Salbutamol was detected in the Sample.

**Charge 3**

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 “Security Man”.
3. Security Man was nominated to compete in, Race 10, TAB - Long May We Play, Grade 5, conducted by the Warragul Greyhound Racing Club at Warragul on 27 July 2021 (the Event).
4. On 27 July 2021, you presented “Security Man” at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from “Security Man” at the Event (the Sample);

(b) Salbutamol was detected in the Sample.

 **Charge 4**

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 “Security Man”.
3. Security Man was nominated to compete in, Race 7, Paua Kennels Final (3-6 Wins) (VicGreys), Restricted Win Final, conducted by the Warragul Greyhound Racing Club at Warragul on 10 August 2021 (the Event).
4. On 10 August 2021, you presented Security Man at the Event not free of any prohibited substance, given that:

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

(b) Salbutamol was detected in the Sample.

 **Charge 5**

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 “Security Man”.
3. Security Man was nominated to compete in, Race 6, Maffra Poly & Pumps Final (3-6 Wins) (VicGreys), Restricted Win Final, conducted by the Sale Greyhound Racing Club at Sale on 22 August 2021 (the Event).
4. On 22 August 2021, you presented Security Man at the Event not free of any prohibited substance, given that:

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

(b) Salbutamol was detected in the Sample.

**Pleas:** Guilty to all charges

**DECISION**

Licensed trainer, Mr Neville Wakefield, has pleaded Guilty to five presentation charges in breach of Greyhounds Australasia Rule (“GAR”) 83(2). On four occasions, Mr Wakefield presented the greyhound “Security Man” in breach of the Rule. Urine samples proved positive to salbutamol. On one occasion, Mr Wakefield presented “Ultimate Mayhem” to race in breach of the Rule. The prohibited substance found on each occasion was salbutamol, a drug often used in human medication to combat the effects of asthma and emphysema. The effect of salbutamol is to aid breathing by opening up the airways.

Salbutamol is a prescribed daily medication to assist Mr Wakefield with his respiratory issues and the Tribunal has seen video of Mr Wakefield’s personal usage of the drug in nebuliser form to assist his breathing.

Mr Wakefield has been a widower for about three years. He is 82 years old and has been involved in greyhound racing for over 60 years. Prior to his battle with throat cancer and his respiratory issues, he had an exemplary record in the industry. He has had one prior matter for breaching the prohibited substance Rules, which also involved salbutamol. It is clear to us that his personal use of salbutamol is indirectly responsible for these Rule breaches being determined today. It is noteworthy that between 16 July 2021 and 22 August 2021 there were four positive samples. Since October 2021, Mr Wakefield no longer handles greyhounds on race day. That job is now undertaken by Ms Colleen Mason, an associate of Mr Wakefield.

Since October 2021, there have not been any positive drug samples of greyhounds trained by Mr Wakefield. We should add that, with the advice and support of Greyhound Racing Victoria (“GRV”), Mr Wakefield has altered his training regime by focusing on pre-race training and educating. He has also purchased a trailer to transport his greyhounds, thus mitigating the risk of contamination by salbutamol when being transported in a private car.

Stewards have referenced penalties given recently in the cases of Mr William Rudd and Mr Dave Reid and also the need for general and specific deterrence when fixing penalties.

In our view, a period of suspension is warranted and a period of six months suspension, wholly suspended for 12 months is imposed on each of the five charges. Each penalty is to be served concurrently with the other charges. The net effect is an effective period of six months suspension to be suspended for a period of 12 months pending no further breaches of the prohibited substance Rules. The period of the suspended term may have been 24 months, but an allowance has been for Mr Wakefield’s age, health, pleas of guilty, altered training arrangements and cooperation with GRV personnel.

Finally, the greyhounds, the subject of these five charges, are disqualified from each race and the finishing order is amended accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal