25 November 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MS NICOLE LUND**

**Date of hearing:** 19 November 2020

**Panel:** Judge Graeme Hicks (Deputy Chairperson) and Ms Judy Bourke.

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

Ms Nicole Lund represented herself.

**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 charge:** 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 *“Text Me Later”*.

3. *“Text Me Later”* was nominated to compete in, Race 12, GREYHOUND PERFORMANCE PRODUCTS, Grade 5, conducted by the Ballarat Greyhound Racing Club at Ballarat on 20 May 2020 (**the Event**).

4. On 20 May 2020, you presented “*Text Me Later”* at the Event not free of any prohibited substance, given that:

1. A post-race sample of blood was taken from *“Text Me Later”* at the Event (**the Sample**);
2. Meloxicam was detected in the Sample.

**Plea:** Guilty

**DECISION**

Ms Nicole Lund, you have pleaded guilty to a breach of Greyhounds Australasia Rule (“GAR”) 83(2). You were the trainer of *“Text Me Later”* which ran in Race 12 at the Ballarat Greyhound Meeting held on 20 May 2020.

A post-race blood sample proved positive to the prohibited substance, Meloxicam. It is a substance frequently found in knackery meat. That was the most likely source in this case.

Meloxicam is a substance which can be used for pain relief and thus may have a positive effect upon a dog’s performance.

Greyhound Racing Victoria (“GRV”) has alerted those in the industry over the risks involved in using knackery meat. On this occasion, you took a risk in using knackery meat when your regular meat supply was unavailable.

You currently train nine greyhounds. You are a single mother and receive a pension. The Stewards accept that you have an outstanding record.

You have a high reputation in the greyhound racing industry. Several significant character references were put before the Tribunal on your behalf. You have been described as hard-working, a person with a real passion for the greyhound industry, one who goes out of her way to help others and a person of have high standards.

We have taken into account your plea of guilty, your personal circumstances and your training history. General deterrence and to a far lesser extent specific deterrence have a part to play in arriving at an appropriate penalty.

In all the circumstances, we find the charge proven and impose a fine of $1,500 with $500 suspended for a period of 12 months. We order that *“Text Me Later”* be disqualified from Race 12 at Ballarat on 20 May 2020 and that the placings be amended accordingly. We order that any prize money won be returned to GRV.

Mark Howard
Registrar, Victorian Racing Tribunal