8 February 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**PETER ROWAN**

**Date of hearing:** 28 January 2021

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

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

Mr Peter Rowan represented himself.

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

A person who –

1. administers, attempts to administer or causes to be administered a prohibited substance to a greyhound;
2. aids, abets counsels or procures any person to administer a prohibited substance to a greyhound; or
3. 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:

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.

GAR 84A(1) states:

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 charge: Charge 1**

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 “Artpop”.
3. “Artpop” was presented for, and competed in, Race 12, DOWNLOAD THE WATCHDOG APP, Grade 5 T3, conducted by the Ballarat greyhound Racing Club at Ballarat on 15 June 2020 (**the Event**).
4. You administered, or caused to be administered, to “Artpop”, a prohibited substance, being Meloxicam, which was detected in a sample taken from “Artpop” in that:
5. you administered (once per day) a product containing Meloxicam, namely ‘Metacam chewable tablets’ to “Artpop” between 1 June 2020 to 7 June 2020 (inclusive);
6. A pre-race sample of urine was taken from “Artpop” at the Event (**the Sample**);
7. Meloxicam 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 “Artpop”.
3. “Artpop” was nominated to compete in, Race 12, DOWNLOAD THE WATCHDOG APP, Grade 5 T3, conducted by the Ballarat Greyhound Racing Club at Ballarat on 15 June2020 (**the Event**).
4. On 15 June 2020, you presented “Artpop” at the Event not free of any prohibited substance, given that:
5. A pre-race sample of urine was taken from “Artpop” at the Event (**the Sample**);
6. Meloxicam 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 “Artpop”.
3. Between 1 June 2020 and 7 June 2020 (inclusive), you administered (once per day) a treatment, namely ‘Metacam chewable tablets’ to the greyhound “Artpop” (**the Treatment**).
4. The Treatment was not recorded in your treatment records when you produced them to GRV Stewards upon request on 23 July 2020.
5. (The Treatment) is required to be recorded in treatment records.

**Plea:** Guilty

**DECISION**

Mr Peter Rowan, you have pleaded guilty to breaching the following Greyhounds Australasia Rules (“GAR”):

Charge 1: Breaching GAR 83(1A), in that you administered or caused to be administered to your greyhound, “Artpop”, a prohibited substance, namely meloxicam. It was running in Race 12 at the Ballarat Greyhound Racing Club meeting held on 15 June 2020.

Charge 2: Breaching GAR 83(2), in that you presented your greyhound, Artpop, in Race 12 at the Ballarat Greyhound Racing Club meeting held on 15 June 2020 when it was not free of a prohibited substance, namely meloxicam.

Charge 3: Breaching GAR 84A(1), not keeping proper treatment records.

Meloxicam is an anti-inflammatory drug which can affect the performance of a greyhound. You first administered meloxicam to Artpop on 1 June 2020 and finished so administering on 7 June 2020. Veterinary surgeon, Dr Steven Karamatic, stated that, considering 2.5mg of meloxicam was administered each day for seven days and the variable elimination rate of this drug, this treatment caused the positive sample eight days later on 15 June 2020.

You stated to the Stewards inquiry, held on 25 August 2020, that, though meloxicam had been prescribed by your veterinary surgeon, you did not seek clarification as to an appropriate withholding period before it was to race. You stated to the inquiry that, had it been your own dog, you may have extended the withholding period.

You have been a trainer since 1985. You have a very good record in the greyhound industry and have no prior convictions whatsoever relating to the administration or presentation involving prohibited substances. You were cooperative with the Stewards.

In arriving at an appropriate penalty, we have taken into account your pleas of guilty, your cooperation with the Stewards and your very good record over a long period of time. We also take into account general, and to a lesser extent, specific deterrence. It is vital that there is a level playing field and that greyhounds race free of prohibited drugs. We have considered recent penalties in like cases.

In all the circumstances we find as follows:

On Charge 1, we impose a penalty of 1 month’s suspension, to be wholly suspended for a period of 12 months, together with a fine of $1,000 of which $500 is to be suspended for a period of 12 months.

On Charge 2, we impose a fine of $1,000 with $500 to be suspended for a period of 12 months.

On Charge 3, we impose a penalty of $500.

We order that Artpop be disqualified from Race 12 at the Ballarat Greyhound Racing Club meeting held on 15 June 2020.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal