31 March 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**PETER TERRY**

**Date of hearing:** 12 March 2021

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Mr Josh Bornstein.

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

Mr Peter Terry 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 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 “Impending”.

3.“Impending” was nominated to compete in, Race 5, IAN CARTER BUILDER (250+RANK), Grade 5 No Penalty, conducted by the Sale Greyhound Racing Club at Sale on 19 June 2020 (**the Event**).

4. On 19 June 2020, you presented “Impending” at the Event not free of any prohibited substance, given that:

1. A post-race sample of urine was taken from “Impending” at the Event (**the Sample**);
2. Prednisone and Prednisolone were detected in the Sample.

**Plea:** Guilty

**DECISION**

1. Mr Peter Terry is a registered greyhound trainer and, at all material times, was the trainer of the greyhounds “Impending”. Impending competed in Race 5 at Sale on 19 June 2020. A post-race sample taken from the greyhound showed the presence of the prohibited substance Prednisone and its metabolite Prednisolone.
2. Stewards of Greyhound Racing Victoria “GRV” have charged Mr Terry under Greyhounds Australasia Rule “GAR” 83(2) with presenting a greyhound for an event while not being free of a prohibited substance. Mr Terry has pleaded guilty.
3. Mr Terry told a preliminary inquiry that he gave a Prednisolone tablet to a retired greyhound kept by him as a pet. The greyhound was kennelled next to Impending. It is believed that Impending stood in the urine of the retired greyhound and was contaminated by licking its paws.
4. Prednisone and Prednisolone are commonly used for skin allergies in dogs. The drugs can increase fatigue threshold in dogs due to their pain relieving qualities. They can also have bad side effects, such as muscle wastage, if taken in high dosages. They can affect the condition or performance of a greyhound in a positive way.
5. Mr Terry has been involved in greyhound racing as a trainer for 54 years. He was a hobby trainer who currently does not train greyhounds. He has three prior transgressions of GAR 83 in recent years from 2013 to 2019, two for Sotalol and one for Procaine. The latest transgression resulted in a 3 month suspension.
6. Mr Terry was cooperative with the Stewards and pleaded guilty at the first opportunity. He is now aware of the difficulty of cross contamination as a result of treatments given to non-racing greyhounds.
7. In setting a penalty, we take into account the three prior transgressions against GAR 83. We also take into account his early guilty plea, his cooperation with the Stewards and remorse. We further take into consideration general and specific deterrence and the importance of keeping a drug free industry.
8. In all the circumstances, we impose a penalty of 4 months suspension and a $1,500 fine, of which $500 is suspended for 12 months.
9. In addition, Impending is disqualified from Race 5 at Sale on 19 June 2020.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal