6 May 2020

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**MR RAYMOND BRITTAIN**

**Date of hearing:** 22 April 2020

**Panel:** Judge John Bowman (Chairperson) and Ms Heidi Keighran.

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Mr Raymond Brittain represented himself.

**Charge:** Greyhound 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 GAR.
2. You were, at all relevant times, the trainer of the greyhound *“Aston Squire”.*
3. *“Aston Squire”* was nominated to compete in, Race 4, MERV JENNINGS SIGNS (200+RANK), Mixed 6/7, conducted by the Geelong Greyhound Racing Club at Geelong on 8 October 2019 (**the Event**).
4. On 8 October 2019, you presented *“Aston Squire”* at the Event not free of any prohibited substance, given that:
   1. A pre-race sample of urine was taken from *“Aston Squire”* at the Event (**the Sample**);

(b) Metformin was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Raymond Brittain, you have pleaded ‘guilty’ to a presentation charge pursuant to GAR 83. “Aston Squire”, trained by you, ran in Race 4 at Geelong on 8 October 2019. A pre-race urine sample was positive for the prohibited substance metformin. Metformin is not found in products prepared for dogs but is found in medication for humans, particularly for those who are suffering diabetes.

At the time, you had a kennel hand who was on diabetic medication and who in fact lost a leg. We accept that you were effectively giving him work because of the circumstances he was in. The Stewards accept that this was the situation and that he used to give your dog biscuits. You gave him gloves to wear, although he did not always do this. In addition, Aston Squire was a licker. The Stewards also accept generally that there was no deliberate administration to Aston Squire and that the positive return was due to the circumstances you described.

You have been a public trainer since 2005. You have a very good record and no relevant prior conviction. You now only have a couple of dogs and you are employed full-time in the dog transport business here and interstate.

General deterrence is an important issue. Trainers must be aware of the risks associated with certain products. You have quite frankly referred to your negligence in not keeping a closer eye on the kennel hand and the dog, although you had provided gloves. We accept that your father had died at about this time, a very sad event that doubtless distracted you. We do not think that specific deterrence is a factor, but general deterrence is, as stated, an important issue.

In all the circumstances we are of the view that a fine of $500 is appropriate. Aston Squire is disqualified from Race 4 at Geelong on 8 October 2019 and the finishing order amended accordingly.

Mark Howard  
Registrar, Victorian Racing Tribunal