1 December 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**RAYMOND HENNESS**

 **Dates of hearing:** 24 November 2021

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

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

Mr Raymond Henness represented himself.

**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: GAR 83(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 “Oh Mary”.
3. Oh Mary was nominated to compete in, Race 6, JARROD LARKIN CONCRETING, Grade 5, conducted by the Bendigo Greyhound Racing Association at Bendigo on 19February 2021 (**the Event**).
4. On 19 February 2021, you presented Oh Mary at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Oh Mary at the Event (**the Sample**);

(b) Hydrochlorothiazide was detected in the Sample.

**Charge 2: GAR 83(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 “Resurrection”.
3. Resurrection was nominated to compete in, Race 10, HANRAHAN PLUMBING, Tier3 – Grade 6, conducted by the Bendigo Greyhound Racing Association at Bendigo on 24 February 2021 (**the Event**).
4. On 24 February 2021, you presented Resurrection at the Event not free of any prohibited substance, given that:

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

(b) Hydrochlorothiazide was detected in the Sample.

**Pleas:** Guilty to all charges.

**DECISION**

Mr Raymond Henness, you have pleaded guilty to two presentation charges pursuant to Greyhounds Australasia Rule (“GAR”) 83(2). They concern the greyhound “Oh Mary”, trained by you, which finished second in Race 6 at Bendigo on 19 February 2021 and “Resurrection”, also trained by you, which finished first in Race 10 at Bendigo on 24 February 2021.

Pre-race urine samples taken from each greyhound were positive to the prohibited substance hydrochlorothiazide. That is a substance found in medication for humans and potentially, for those suffering from cardiac complaints. It could have a negative effect on the performance of a greyhound.

It is a matter of speculation as to how the prohibited substance could have entered the body of each greyhound. A kennel inspection did not reveal any medications containing hydrochlorothiazide. One possible explanation is that the assistant of Mr Henness, Ms Shelley Laird, or his mother, Ms Lorna Frigo, who were both on an array of medications, may have inadvertently passed on the drug to the greyhounds when feeding and handling them.

Mr Henness has been a full time trainer for 20 years. He is also a breeder, with a substantial number of greyhounds. His greyhounds have been subject to 260 samples and this is his first transgression for a drug related offence. He has pleaded guilty and been cooperative with the Stewards.

The greyhound racing industry is aware of the need to be vigilant in ensuring that prohibited medications are not passed on to greyhounds by human handling. General deterrence is an important factor in formulating an appropriate penalty.

The Stewards have stressed the importance of consistency in decision making and have referred to the case of Mr Marcus Lloyd in that regard.

In the event, the Tribunal imposes a fine of $500 on each charge, a total of $1,000, with $250 of that $1,000 wholly suspended for 12 months. That is an immediate penalty of a $750 fine. It is also ordered that Oh Mary be disqualified from Race 6 at Bendigo on 19 February 2021 and Resurrection be disqualified from Race 10 at Bendigo on 24 February 2021. The finishing order is amended accordingly and any prizemoney is to be refunded.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal