8 February 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**RITA GATT**

**Date of hearing:** 10 January 2022

**Panel:** Judge Graeme Hicks (Deputy Chairperson) and Mr Josh Bornstein.

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

Mrs Rita Gatt represented herself.

**Charge/s:** Greyhounds Australasia Rule (“GAR”) 83(2)(a) states:

 (2) The owner, trainer or person in charge of a greyhound-

(a) nominated to compete in an Event;

shall present the greyhound free of any prohibited substance.

**Particulars of charge/s: Charge 1: GAR 83(2)(a)**

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 and Local Racing Rules.
2. You were, at all relevant times the trainer of the greyhound “Bobbie Buble” (SGAKY).
3. Bobbie Buble was nominated to compete in Race 8, conducted by the Geelong Greyhound Racing Club at Geelong on 30 March 2021 (the Event).
4. On 30 March 2021, you presented Bobbie Buble at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Bobbie Buble at the Event (the Sample);

(b) Codeine and Morphine was detected in the Sample.

**Charge 2: GAR 83(2)(a)**

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 and Local Racing Rules.
2. You were, at all relevant times the trainer of the greyhound “Bobbie Buble” (SGAKY).
3. Bobbie Buble was nominated to compete in Race 8, conducted by the Geelong Greyhound Racing Club at Geelong on 30 March 2021 (the Event).
4. On 30 March 2021, you presented Bobbie Buble at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Bobbie Buble at the Event (the Sample);

(b) Arsenic was detected at a mass concentration of greater than 800 nanograms per millilitre in the Sample.

 **Charge 3: GAR 83(2)(a)**

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 and Local Racing Rules.
2. You were at all relevant times the trainer of the greyhound “Bobbie Buble” (SGAKY).
3. Bobbie Buble was nominated to compete in Race 6, conducted by the Geelong Greyhound Racing Club at Geelong on 6 April 2021 (the Event).
4. On 6 April 2021, you presented Bobbie Buble at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Bobbie Buble at the Event (the Sample);

(b) Arsenic was detected at a mass concentration of greater than 800 nanograms per millilitre in the Sample.

**Plea/s:** Guilty to all charges

**DECISION**

Mrs Rita Gatt, you have pleaded guilty to three charges of presenting your greyhound, “Bobbie Buble”, at greyhound racing meetings when it was not free of a prohibited substance.

Charge 1 relates to a race meeting held at Geelong held on 30 March 2021. You presented your greyhound, Bobbie Buble, in Race 8 when it was not free of prohibited substances, namely codeine and morphine.

Charge 2 relates to the same race meeting as Charge 1. You presented Bobbie Buble when it was not free of a prohibited substance, namely arsenic.

Charge 3 relates to a race meeting held at Geelong on 6 April 2021. You presented Bobbie Buble in Race 6 when it was not free of a prohibited substance, namely arsenic.

Codeine and morphine are both substances which can affect the performance of a greyhound. Dr Steven Karamatic, Chief Veterinarian at Greyhound Racing Victoria (“GRV”), in his report of 19 June 2021, was of the opinion that loaves of brown bread and other baked goods could contain poppy seeds to produce morphine and codeine in a greyhound sample. There is evidence that you fed Bobbie Buble rye bread and other baked goods.

Arsenic is a substance which can also affect the performance of a greyhound. Dr Karamatic was of the opinion that the licking or chewing by Bobbie Buble of copper chrome arsenic (“CCA”) treated timber in its kennel is the most likely cause of a urinary arsenic threshold breach.

Participants in the greyhound racing industry have been warned of the dangers of kennels that have been treated with a CCA product and of feeding bread which may contain poppy seeds to a greyhound.

At the time of these events, you had not been long in the greyhound industry. The Tribunal and the Stewards accept that you made an honest mistake, as do the Stewards, by feeding Bobbie Buble bread which contained poppyseeds. It is also accepted that at the time you were unaware of the dangers of CCA treated pine in kennels. You have transferred some of the dogs that you did train over to your husband. A different trainer now trains Bobbie Buble. You took immediate action to remove the treated pine and forwarded to Stewards photographs reflecting your action. The Stewards accept that you have a good record.

We have taken into account your pleas of guilty, your personal circumstances, your history within the greyhound racing industry, your cooperation with the Stewards and your good record.

Principles of general deterrence and, to a lesser extent, specific deterrence have a part to play in determining an appropriate penalty.

In all the circumstances, on Charge 1 you are suspended for a period of three months, to be wholly suspended for a period of 12 months.

On Charges 2 and 3, you are suspended for a period of six months, with four months of that penalty suspended for a period of 12 months.

We order that Bobbie Buble be disqualified from Race 8 at Geelong on 30 March 2021 and also be disqualified from Race 6 at Geelong on 6 April 2021 and that the placings in each race be amended accordingly.

Kathleen Scully
Acting Registrar, Victorian Racing Tribunal