13 May 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**RONALD FISHER**

**Date of hearing:** 4 May 2022

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Mr Josh Bornstein.

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

Mr Ronald Fisher did not attend the hearing.

**Charge:** 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 charge:** 1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria (“GRV”) and a person bound by the Greyhounds Australasia Rules (“GAR”).

2. You were, at all relevant times, the trainer of the greyhound “My Mascara”.

3. “My Mascara” was nominated to compete in, Race 12, Greyhound Clubs Victoria, Grade 5 T3, conducted by the Ballarat Greyhound Racing Club at Ballarat on 13 September 2021 (the Event).

4. On 13 September 2021, you presented “My Mascara” at the Event not free of any prohibited substance, given that:

(a) A post-race sample of urine was taken from “My Mascara” at the Event (the Sample);

(b) Caffeine, Theophylline, Paraxanthine and Theobromine were detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Ronald Fisher was the licensed trainer of “My Mascara”, which finished in first placing in Race 12 at the Ballarat greyhound meeting on 13 September 2021. A post-race urine sample taken from My Mascara has proven positive for caffeine, theophylline, paraxanthine and theobromine, prohibited substances under the Rules of racing. Hence, Mr Fisher, who has elected to not participate in this hearing, has been charged with a breach of Greyhounds Australasia Rule (“GAR”) 83(2).

Mr Fisher is a public trainer and was the trainer of the greyhound on 13 September 2021. Inadvertent cross-contamination may be a reason for the positive drug outcome. However, the insinuation that this occurred by the greyhound consuming coffee from a sealed cup s fanciful.

Mr Fisher has been involved in greyhound racing on and off over a 40 year period. He was cooperative with a Stewards inquiry and has had 152 prior samples taken with no previous breaches of GAR 83(2).

We are mindful of a notice sent by Greyhound Racing Victoria (“GRV”) to industry participants that from 1 September 2021 GRV Stewards would be seeking to increase penalties for breaches of GAR 83(2). There is also the need to achieve a level playing field for all participants by maintaining drug free racing. Reference has also been made to recent “like” cases.

In the event, we suspend Mr Fisher’s licence for four months. That suspension is wholly suspended for 24 months. In addition, My Mascara is disqualified from the subject race and any prizemoney won is forfeited to GRV.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal