13 January 2021

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**SIMON HUMPHRIES**

**Date of hearing:** 13 January 2021

**Panel:** Judge Graeme Hicks (Deputy Chairperson) and Ms Maree Payne.

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

Mr Simon Humphries 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 “Wicked One”.

3. “Wicked One” was nominated to compete in, Race 4, JARROD LARKIN CONCRETING (200+ RANK), Grade 7, conducted by the Bendigo Greyhound Racing Association at Bendigo on 30 May 2020 (**the Event**).

4. On 30 May 2020, you presented “Wicked One” at the Event not free of any prohibited substance, given that:

1. A pre-race sample of urine was taken from “Wicked One” at the Event (**the Sample**);
2. Theobromine was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Simon Humphries, you have pleaded guilty to breaching Greyhounds Australasia Rule (“GAR”) 83(2) in that you presented your Greyhound, “Wicked One”, in Race 4 at the Bendigo Greyhound Racing Association meeting held on 30 May 2020 when it was not free of a prohibited substance, namely Theobromine.

Theobromine is a stimulant which affects the central nervous system. It is found in coffee and chocolate. In 2016, Greyhound Racing Victoria (“GRV”) issued its feeding, medications and supplement guidelines, which alerted trainers about the potential risk of inadvertent positive swabs from the feeding of substances containing chocolate, tea or coffee.

The likely explanation for the presence of Theobromine is that your greyhound ate chocolate that had been left lying about by your brother, who frequently went to the racetrack with you.

You have been a trainer for 31 years and have never breached this Rule. You train 10 greyhounds from your premises. You also help others in the industry with their greyhounds.

We have taken into account your plea of guilty, your good record concerning prohibited substances and your cooperation with the stewards. We also take into account general deterrence and the importance of keeping a level playing field by maintaining a drug free industry. We have considered recent penalties in like cases.

In all the circumstances we impose a penalty of 3 months suspension, to be wholly suspended for a period of 12 months, commencing from 13 January 2021. We order that Wicked One be disqualified from Race 4 at the Bendigo Greyhound Racing Association meeting held on 30 May 2020.

Kathleen Scully  
Acting Registrar, Victorian Racing Tribunal