2 March 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**WILLIAM RUDD**

**Date of hearing:** 16 February 2022

**Panel:** Judge John Bowman (Chairperson) and Judge Julie Nicholson.

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

Mr William Rudd 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:** 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 “Secret Agent Man”.

3. Secret Agent Man was nominated to compete in, Race 7, RAM LOCKSMITH (1-3 WINS), Restricted Win, conducted by the Cranbourne Greyhound Racing Club at Cranbourne on 15 May 2021 (the Event).

4.On 15 May 2021, you presented Secret Agent Man at the Event not free of any prohibited substance, given that:

(a) A pre-race sample of urine was taken from Secret Agent Man at the Event (the Sample);

(b) Salbutamol was detected in the Sample.

**Pleas:** Guilty

**DECISION**

Mr William Rudd, you have pleaded guilty to a breach of Greyhounds Australasia Rule (“GAR”) 83(2). The greyhound, “Secret Agent Man”, trained by you, competed in Race 7 at Cranbourne of 15 May 2021. The greyhound finished fourth. A sample taken from it proved positive to the prohibited substance, Salbutamol. Salbutamol has the capacity to enhance performance. It is commonly found in Ventolin, used for treatment of the human condition of asthma. You are an asthmatic, administering Ventolin to yourself four or five times per day.

There is no challenge to the fact that Secret Agent Man was presented to race when its system contained the prohibited substance. There is no challenge to the proposition that the most likely source of the Salbutamol was your use of Ventolin. You keep a Ventolin inhaler in the area where the greyhound is kennelled. You use rubber gloves as much as possible when feeding the greyhound.

We accept that you have endeavoured to be very careful in relation to your use of the Ventolin. You have just the one dog in training. Despite your care, it is not challenged that the dog’s positive reading most likely word emanated your use of the Ventolin inhaler.

You have cooperated fully with the Stewards. You have been a licensed trainer for in excess of 40 years. You have a record that could only be described as exemplary, with no prior convictions. You now train just the one dog as a hobby. We also note that your kennel report from the Stewards was “excellent”, as was the state of your treatment books. There is also no argument but that you attempted to wear gloves at all times when handling the dog. However, but there are occasions when this is difficult.

You are a 64 year old man, now retired from the workforce. You are in receipt of a pension. The training of your dog and your long, exemplary record show your love of the industry and your respect for its Rules and procedures.

General deterrence must be borne in mind. Greyhound Racing Victoria (“GRV”) has sent out notices concerning the possible transmission of substances contained in human medications, such as Ventolin. Hand washing and the wearing of gloves is very important. We are confident that you will be extremely careful in the future and we are not of the view that specific deterrence has any significant role to play.

In the circumstances and as submitted by the Stewards, a period of six months suspension is imposed, but that is wholly suspended for 12 months. It will only become operative if you breach this Rule again during that period. We are confident that you will not.

Bearing in mind your impeccable record for over 40 years, the excellent state of your kennels and record books and the care in which you are attempting to take in relation to your Ventolin, and your complete cooperation with the Stewards, in this particular case no fine will be imposed.

Secret Agent Man is disqualified from Race 7 at Cranbourne on 15 May 2021 and the finishing order amended accordingly.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal