8 December 2023

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JOHN MANGION**

**Date of hearing:** 4 December 2023

**Panel:** Judge Kathryn Kings (Deputy Chairperson) and Mr Josh Bornstein.

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

Mr John Mangion represented himself.

**Charge:** Greyhounds Australasia Rule (“GAR”) 141(1) states:

(1) The owner, trainer or other person in charge of a greyhound:

(a) nominated to compete in an Event;

(b)presented for a satisfactory trial or such other trial as provided for by the Rules; or

(c) presented for any test or examination for the purpose of a stand-down period being varied or revoked,

must present the greyhound free of any prohibited substance.

**Particulars:** 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 “Diversify”.

3. “Diversify” was nominated to compete in Race 4, SPORTSBET GREEN TICKS (0-1 WIN), Tier 3 – Restricted Win, conducted by the Bendigo Greyhound Racing Association at Bendigo on 28 December 2022 (the Event).

4. On 28 December 2022, you presented “Diversify” at the Event not free of any prohibited substance, given that:

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

(b) Methylprednisolone was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Mangion is a licensed greyhound trainer who has been in the industry for approximately 50 years. He is the trainer of the greyhound, Diversify. Diversify was nominated to compete in Race 4 at Bendigo on 28 December 2022. On 28 December 2022 Mr Mangion presented Diversify at the event, not free of any prohibited substance given that:

1. A pre-race sample of urine was taken from Diversify at the event.
2. Methylprednisolone was detected in the sample. Methylprednisolone is a prohibited substance under the Greyhounds Australasia Rules (“GARs”).

Mr Mangion was charged with a presentation offence under GAR 141(1) on account of his presenting Diversify for an event while not free of a prohibited substance.

Greyhound Racing Victoria Chief Veterinarian, Dr Steven Karamatic, provided a report of the finding of the prohibited substance methylprednisolone in the urine sample. Dr Karamatic said that methylprednisolone is a prohibited substance and is capable of affecting the condition, behaviour or performance of a greyhound. Any effect on performance is more likely to be positive such as producing an artificially pain free state.

Dr Karamatic was aware that during the kennel inspection, a product was found that contains methylprednisolone (Depo–Nisolone). It was prescribed by Mr Mangion’s doctor on 21 March 2022. Dr Karamatic said that any administration of this prescribed item to a greyhound would be against the Rules, as it was not prescribed by a veterinarian for use in a greyhound.

Further, the Swab Irregularity Report suggests that the substance had been injected by a veterinarian, which was not a proposition supported by the contemporaneous clinical notes provided by the veterinarian. An unrelated injectable substance was administered at the time specified by Mr Mangion (5 June 2022).

Further, Dr Karamatic stated that, if methylprednisolone was administered on 5 June 2022, it was unlikely to still be detected on 28 December 2022, over 6 months after treatment. If administered to this greyhound, methylprednisolone would be detected in a urine sample in the range of several weeks to months. He was doubtful that such period would extend to 6 months. However, this would depend on the dose provided, what the route of administration was, or whether there was any further administration or exposure to the substance. Based on the pharmacology of the substance, a standard dose by injection in a greyhound would be expected to have minimum detection time of several weeks (and perhaps months).

Dr Karamatic referred to the notices to the industry in August 2016 and in 2020 in which participants were warned that many drugs used by humans can produce positive swabs due to cross contamination. He said that if participants are on medications, they should use gloves to mix the greyhound’s meal, and participants should not allow their greyhound to lick their skin. Further, participants should not urinate around the kennels and should not store their medication within the kennelling areas.

The evidence is that Mr Mangion was using a prescription-only medication, Depo-Nisolone, which was injected into his hand by a doctor. On about 5 June 2022, he took Diversify to the Vet with wrist problems and asked whether the medication he was using for his wrists could be used for Diversify. The vet injected the dog in June 2022. He assumed that the medication would be out of the dog’s system by the time it raced in December 2022.

Mr Mangion’s only explanation is that, at the time that he mixed the dog’s food with his hands he did not wear gloves. Now he wears gloves when mixing the feed for his dogs. He is illiterate. His partner reads the GRV notices to him.

Mr Mangion pleaded guilty to the offence at an early stage and has co-operated throughout the investigation with the Stewards. In imposing a penalty, we have taken into account his guilty plea, his co-operation with the Stewards throughout the investigation and the importance of special and general deterrence. We also acknowledge the importance of maintaining a level playing field by having a drug free industry. We take into consideration recent penalties in like matters.

We accept Mr Mangion’s evidence that what occurred was inadvertent and that he now wears gloves when mixing dog food. Mr Mangion is aged 69 years age. He derives great comfort from his dogs and often sits with them.

In all the circumstances, we impose a penalty of $3,000, of which $1,500 is fully suspended for 24 months pending no further breach of the Rules relating to prohibited substances.

Additionally, Diversify is disqualified from Race 4 at Bendigo on 28 November 2022 and the finishing order is amended accordingly.

Mark Howard

Registrar, Victorian Racing Tribunal