29 November 2024

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**BERNARD GROOM**

**Date of hearing:** 20 November 2024

**Date of decision:** 20 November 2024

**Panel:** Judge Kathryn Kings (Deputy Chairperson) and Ms Judy Bourke.

**Appearances:** Ms Yana Podolskaya appeared on behalf of the Stewards.

Mr Bernard Groom represented himself.

 Mr Carl McGrath appeared as a character witness.

**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 “Global Hero”.

3. Global Hero was nominated to compete in Race 11, BYERS ELECTRICAL VETERANS (250+RANK), S/E Veteran, conducted by the Shepparton Greyhound Racing Club at Shepparton on 5 February 2024 (the Event).

4. On 5 February 2024, you presented Global Hero at the Event not free of any prohibited substance, given that:

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

(b) Theobromine was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr Bernard Groom is a trainer licensed by Greyhound Racing Victoria (“GRV”) and bound by the Greyhounds Australasia Rules (“GAR”). He has been licensed for nearly 40 years. Mr Groom is the trainer of the greyhound, “Global Hero”.

Global Hero was nominated to compete in Race 11 at Shepparton on 5 February 2024. The greyhound was presented at the event not free of any prohibited substance, given that a pre-race sample of urine was taken from the dog and detected the prohibited substance, theobromine.

Mr Groom has been charged with a presentation offence pursuant to GAR 141(1) on account of presenting Global Hero for an event while not free of any prohibited substance. Mr Groom has pleaded guilty to the charge.

GRV Chief Veterinarian, Dr Steven Karamatic, provided a report dated 6 May 2024. Dr Karamatic confirmed that theobromine is a prohibited substance under the GAR and is placed in the category stimulants, depressants and other prohibited substances of the GRV Penalty Guidelines. He said that there are no Australian pesticides, veterinarian medicines and authorised registered products containing theobromine, although those containing caffeine could produce a positive sample to theobromine as it is a metabolite of caffeine. Chocolate and cocoa are potential sources of theobromine, with higher quantities in dark compounds compared to white chocolate. The treatment records did not detail the administration of any products expected to contain theobromine. Dr Karamatic said that theobromine is capable of affecting the condition and behaviour of a greyhound and could improve performance.

Mr Groom reported to the GRV Investigator, Ms Roslyn Fazulla, that the greyhounds are fed leftover daily food that the family does not consume, including iced donuts. Dr Karamatic said that chocolate icing or sprinkles would contain theobromine, as would any other chocolate flavoured foods. As a result of the positive finding, Mr Groom reported that changes have been implemented in the feeding of the greyhounds. Mr Groom said that the greyhounds are no longer fed leftover food from the family. In addition, the greyhounds are no longer fed knackery meat up to race day. He now feeds knackery meat three days before race day. Racing dogs are fed human consumption meat. In addition, now only Mr Groom and or his wife feed the greyhounds.

Evidence was given by Mr Groom’s employer, Mr Carl McGrath, Club Manager at the Shepparton Greyhound Racing Club, that Mr Groom had a significant full time role at the club and is highly regarded.

In imposing a penalty, we have taken into account his guilty plea, his cooperation with the Stewards and the importance of general deterrence. We also acknowledge the importance of maintaining a level playing field by having a drug free industry. We take into account penalties in like matters. We note that this is Mr Groom’s’ first offence in almost 40 years in the industry. We acknowledge the submissions of the Stewards in relation to penalty.

In all the circumstances, we impose a penalty of four months suspension, wholly suspended for 12 months pending no further relevant offences during that time, and a fine of $500.

In addition, Global Hero is disqualified from Race 11 at Shepparton on 5 February 2024 and the finishing order is amended accordingly.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal