13 December 2024

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JOHN CONNOR**

**Date of hearing:** 28 November 2024

**Date of decision:** 28 November 2024

**Panel:** Judge John Bowman (Chairperson) and Mr Josh Bornstein.

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

Mr John Connor represented himself.

**Charges:** 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.

GAR 148(1) states:

(1) A person must not, without the express permission of the Stewards, possess any prohibited substance, exempted substance or other substance (including any other medication, medicine, injectable substance, supplement, herbal product or therapeutic good) that:

(a) is not registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

**Particulars: Charge 1: GAR 141(1)**

 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 “Calimo”.

3. Calimo was nominated to compete in Race 7, SB SANDOWN CUP MAY 24, Mixed 4/5, conducted by the Sandown Greyhound Racing Club at Sandown Park on 18 April 2024 (the Event).

4. On 18 April 2024, you presented Calimo at the Event not free of any prohibited substance, given that:

(a) A post-race sample of blood was taken from Calimo at the Event (the Sample);

(b) Meloxicam was detected in the Sample.

**Charge 2: GAR 148(1)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Australasia Rules.

2. On 18 May 2024, a kennel inspection was conducted at your registered greyhound kennel address in Rosedale, Victoria (the Premises);

3. During the course of the kennel inspection, Stewards located the injectable substance “Tone \* Plus” (the Substance) which was stored in the refrigerator;

4. The Substance has not been approved or registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

5. You did not have permission from the Stewards to possess the Substance.

**Pleas:** Guilty

**DECISION**

Mr John Connor, you are pleading guilty to two offences. Charge 1 is a breach of Greyhounds Australasia Rule (“GAR”) 141(1) and is what is frequently referred to as a presentation charge.

It arises out of your greyhound, “Calimo”, racing at Sandown Park on 18 April 2024 in Race 7. It ran last. A post-race blood sample tested positive to the prohibited substance, meloxicam.

Charge 2 is pursuant to GAR 148(1) and arises from a kennel inspection by the Stewards of your property at Rosedale on 18 May 2024. In your refrigerator, an injectable substance called “Tone Plus” was found. This was a product that was not approved, and no permission had been received in relation to it.

Returning to Charge 1, you admit freely and had so admitted to Stewards, that you regularly purchased and used knackery meat. That is the most likely source of the meloxicam. You have ceased using such meat. You are not computer literate and may not have been fully aware of the risks associated with it.

In relation to Charge 2, you had simply purchased the product Tone Plus without being fully aware of your responsibilities in relation to the purchase of unauthorised products.

Your background is that you have been involved in the industry since at least 1977, meaning that you have been a greyhound trainer for approximately 50 years. You have no relevant prior convictions. In other words, you have an outstanding record of long involvement in the industry without any relevant prior convictions.

You were a carpenter during your working life and are now retired and on a pension. You are a widower, with four adult children. You have the usual expenses associated with the property in which you live.

Obviously, greyhound racing means a lot to you and you usually have up to 10 greyhounds on your property. In summary, you have had a very long involvement in the industry and an excellent record.

You no longer use knackery meat and are now aware of the risks of buying and using unauthorised products.

Penalties in cases of this nature have been put before us and particularly very recent penalties. Ms Podolskaya, on behalf of the Stewards, directed our attention to the fines which the Stewards would consider to be appropriate in this case.

We agree that fines are the appropriate penalties, bearing in mind your pleas and your record.

The penalties which we impose are as follows.

On Charge 1, a fine of $2,000, with $1,500 suspended for a period of 12 months pending no further relevant offences during that time.

On Charge 2, a fine of $1,000, with $750 suspended for a period of 12 months pending no further relevant offences during that time.

Thus, the penalties total $3,000, but with $2,250 of that amount being suspended for a period of 12 months. Thus, there is an immediate penalty of a fine of $750, but with $2,250 hanging over you, but only being activated in the unlikely event that you commit a relevant offence during the next 12 months.

Further, Calimo is disqualification from Race 7 at Sandown Park on 18 April 2024 and the finishing order is amended accordingly.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal