21 March 2025

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**DAVID GEALL**

**Date of hearing:** 14 March 2025

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**Panel:** Judge Kathryn Kings (Deputy Chairperson), Dr Andrew Gould and Ms Danielle Hikri.

**Appearances:** Ms Kaitlyn Foote, instructed by Mr Anthony Pearce, appeared on behalf of the Stewards.

Mr David Geall represented himself.

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

**Greyhound to be free of prohibited substances**

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

1. *nominated to compete in an Event;*
2. *presented for a satisfactory trial or such other trial as provided for by the Rules; or*
3. *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 *“Nature Strip”.*

 3. *“Nature Strip”* was nominated to compete in Race 7, SPORTSBET WARRAGUL CUP HT4, S/E Heat, conducted by the Warragul Greyhound Racing Club at Warragul on 5 January 2024 (**the Event**).

 4. On 5 January 2024, you presented *“Nature Strip”* at the Event not free of any prohibited substance, given that:

1. A post-race sample of urine was taken from *“Nature Strip”* at the Event (**the Sample**);
2. Metformin was detected in the Sample.

**Plea:** Guilty

**DECISION**

Mr David Geall is a trainer licensed by Greyhound Racing Victoria (“GRV”) and bound by the Greyhounds Australasia Rules (“GARs”). He has been licensed for approximately 28 years.

Mr Geall has been charged with breaching GAR 141(1), a presentation charge. Mr Geall is the trainer of the greyhound “Nature Strip”, which was nominated to compete in Race 7, a heat of the Warragul Cup, conducted on 5 January 2024. Nature Strip was presented at the event not free of a prohibited substance given that a post-race sample of urine taken detected the prohibited substance, metformin.

GAR141(1) is a Rule of strict liability.

Mr Geall has pleaded Not Guilty to the charge.

In a report dated 13 March 2024, GRV Chief Veterinarian, Dr Steven Karamatic, confirmed that metformin is a prohibited substance as defined by the GARs and is capable, at any time, of affecting the endocrine system. He said that there were currently no Australian Pesticides or Veterinary Medicines Authority registered products that contain metformin. There are human therapeutic goods that contain metformin. All are prescription only medications.

Dr Karamatic said that metformin is capable of affecting the condition and performance of a greyhound, with any effect more likely to be negative, by reducing energy. Increasing the amount of glucose stored in muscle cells could have a positive effect on performance. Dr Karamatic noted that the warnings provided to the industry by GRV’s Food and Supplements Guidelines published in August 2016, which alerted participants to the potential risks of inadvertent swabs from the use of medications and gives some guidance to minimise the risks. Similar warnings were provided in the July 2020 edition of the Greyhound Monthly Review.

During the kennel inspection, Mr Geall produced personal medication, APO Metformin XR 1000, which contains 1000mg of metformin per tablet. His doctor prescribed the medication. Mr Geall advised the Stewards that he takes two tablets with his evening meal at approximately 6pm to 7pm daily, including when at the racetracks.

Mr Geall advised that he keeps his medication in the house. Since taking the medication, he washes his hands thoroughly prior to retrieving a greyhound for a racing engagement.

Dr Karamatic said that the only explanation for the presence of metformin is that Mr Geall is a diabetic and is prescribed metformin, which he ingests daily with his nightly meal.

Mr Geall was at a loss to explain how the medication came into contact with Nature Strip, given the care he takes when ingesting his medication. He said that the tablets are in a foil packet. He squeezes them out into his mouth. He keeps his medication in the house. Before going to the races, his standard procedure is to wash his hands thoroughly. His only explanation for the positive sample was that after the race he would have patted the greyhound and was photographed with his arms around the greyhound.

Now when he goes to a race, he no longer takes his medication in the car.

Mr Geall submitted that he did present the greyhound free of a prohibited substance and that any contact with metformin occurred after the race. This is his reason for not pleading Guilty. As to that submission, Mr Geall was in effect suggesting that contamination occurred “after the race”. As to that submission, the definition of “presentation”’ or “presented” means a greyhound is presented for an “event” as from the appointed scratching time the greyhound is nominated for, and which continues until the time a greyhound is removed from the racetrack, unless otherwise directed by Stewards pursuant to Rule 94(2). Accordingly, whether contamination occurred before or after the race does not matter. Sample V817373 was taken from the greyhound while it was presented for an event and the certificates of analysis confirm that the sample contained the prohibited substance, metformin. Further, Mr Geall submitted that any contamination occurred inadvertently as a result of his sweat on a humid day. Even if contamination occurred as suggested by Mr Geall, there is no expert evidence other than Mr Geall’s evidence that it had not occurred in the past.

Ultimately the Tribunal is comfortably satisfied that the charge has been proven, as Mr Geall presented Nature Strip at the event not free of a prohibited substance, namely metformin.

**PENALTY**

In imposing a penalty, we take into account Mr Geall’s cooperation with the Stewards, his attempts to prevent any further positive swabs 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, and we accept the submissions of the Stewards in relation to penalty.

In all the circumstances, we impose a penalty of $750 with $250 suspended for 12 months.

In addition, Nature Strip is disqualified from Race 7 at Warragul on 5 January 2024 (the heat) and Race 8 on 12 January 2024 (the final). The finishing orders are amended accordingly.

Mark Howard

Registrar, Victorian Racing Tribunal