



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 17 March 2021

Decision-makers: Alice Stafford, A/Senior Legal Officer, David OShannessy, Chief Inspector & Dean Degan, Senior Steward

Name of relevant person: Ms Charmaine Roberts

Track: Temora; Dubbo

Date: 8 November 2020; 26 November 2020

Rule no.: Rule 83(2)(a) (x2)

Charge(s): (1) Ms Roberts presented the greyhound 'Maree Keeping' ("**Greyhound**") for the purposes of competing in race 10 at the Temora meeting on 8 November 2020 in circumstances where the Greyhound was not free of any prohibited substance.

(2) Ms Roberts presented the greyhound 'Ivana Keeping' ("**Greyhound**") for the purposes of competing in race 1 at the Dubbo meeting on 26 November 2020 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Cobalt (x2)

Disciplinary action taken: To be served concurrently

Charge 1: 14-week suspension

Charge 2: 16-week suspension

REPORT:

First charge

Following receipt of a certificate of analysis from Racing Analytical Services Limited, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, 'Maree Keeping' ("**first Greyhound**") at the Temora meeting on 8 November 2020.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory confirming the presence of cobalt at a mass concentration level above the threshold amount of 100 nanograms per millilitre ("**ng/mL**").

After considering the evidence, the Commission charged Ms Roberts with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the post-race urine sample taken from the first Greyhound confirmed the presence of the prohibited substance cobalt above the threshold imposed by Rule 83(1) of 100 ng/mL.

Second charge

Following receipt of a certificate of analysis from Racing Analytical Services Limited, the Commission conducted an investigation into the results of a post-race urine sample taken from the greyhound, 'Ivana Keeping' ("**second Greyhound**") at the Dubbo meeting on 26 November 2020.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory confirming the presence of cobalt at a mass concentration level above the threshold amount of 100 nanograms per millilitre ("**ng/mL**").

After considering the evidence, the Commission charged Ms Roberts with a breach of Rule 83(2)(a) of the Rules given that the post-race urine sample taken from the first Greyhound confirmed the presence of the prohibited substance cobalt above the threshold imposed by Rule 83(1) of 100 ng/mL.

Ms Roberts was legally represented during the hearing and admitted the charges at the earliest opportunity.

DECISION:

1. Ms Roberts is a registered greyhound trainer and the trainer of both the first and second Greyhound.
2. The first Greyhound competed in race 10 at the Temora meeting on 8 November 2020 ("**first Event**"). Following the Event, a urine sample was taken from the first Greyhound. The post-Event swab revealed the presence of cobalt at a mass concentration level of greater than 200 ng/mL. Cobalt above the specified threshold of 100 ng/mL is a prohibited substance under Rule 83(10) of the Rules.
3. The second Greyhound competed in race 1 at the Dubbo meeting on 26 November 2020 ("**first Event**"). Following the Event, a urine sample was taken from the first Greyhound. The post-Event swab revealed the presence of cobalt at a mass concentration level of greater than 200 ng/mL. Cobalt above the specified threshold of 100 ng/mL is a prohibited substance under Rule 83(10) of the Rules.
4. The Commission charged Ms Roberts with two (2) offences under Rule 83(2)(a), which reads:
 - (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.

5. On 17 March 2021, this matter was heard by the Commission in an online hearing. Ms Roberts and her legal representative were present at the hearing. Ms Roberts admitted both of the charges. During the hearing, Ms Roberts gave oral evidence and submissions were made on her behalf.

6. The Commission found the charges proven.

7. The Commission took the following disciplinary action against Ms Roberts:

Charge 1 - (8 November 2020):	To suspend her trainer registration for a period of 14 weeks;
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Charge 2 – (26 November 2020):	To suspend her trainer registration for a period of 16 weeks,
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with:

- The periods of suspension to be served concurrently.

8. In taking this disciplinary action, the Commission considered all evidence, including:

- Greyhound racing penalty precedents in NSW and other jurisdictions;
- Ms Roberts' admission of the charges at the earliest opportunity;
- Ms Roberts has been a registered trainer for approximately 31 years, since 1990;
- Ms Roberts' disciplinary history – which includes a prior prohibited substance matter involving the same substance, cobalt for which she received an 8-week suspension in 2017;
- The level of substance detected, being double that of the threshold level set under Rule 83(10) of the Rules;
- The prizemoney affected as a result of the taking of this disciplinary action;
- The significant contribution by Ms Roberts to the greyhound racing industry;
- The oral evidence of Ms Roberts and further submissions made on her behalf in mitigation of penalty including in relation to her good character and references provided on her behalf, her personal and financial circumstances, her review of and amendment to her animal husbandry practices, and her reasonable explanation for the source of the positive result.

9. In addition, the first Greyhound was disqualified from race 10 at the Temora meeting on 8 November 2020 pursuant to Rule 83(4) of the Rules. The second Greyhound was disqualified from race 1 at the Dubbo meeting on 26 November 2020 pursuant to Rule 83(4) of the Rules.

.....End.....