



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision:	6 September 2022
Decision-makers:	Director of Race Day Operation and Integrity, Mr. Wade Birch, Senior Steward, Mr Dean Degan and Acting Deputy Chief Inspector Ms. Shaye Barrow
Name of relevant person:	Registered Owner Trainer, Breeder Ms Tanya Nieuwendyk
Track:	Bathurst
Date:	23 May 2022
Rule no.:	141(1)(a)
Charge(s):	Registered Owner Trainer, Breeder Ms Tanya Nieuwendyk presented the greyhound 'Jimmy Silk' (" Greyhound ") for the purposes of competing in race eight at the Bathurst meeting on 23 May 2022 in circumstances where the Greyhound was not free of any prohibited substance
Prohibited Substance(s):	Methylprednisolone
Disciplinary action taken:	To issue Ms. Nieuwendyk fine in the sum of \$1000

INVESTIGATION

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 23 June 2022 the Commission conducted an investigation into the results of a post-Event urine sample taken from the greyhound, 'Jimmy Silk' ("**Greyhound**") at the Bathurst meeting "**Event**" on 23 May 2022.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory confirming the presence of methylprednisolone.

DECISION:

1. Ms. Nieuwendyk is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race eight of the Bathurst meeting on 23 May 2022. After the Event, a urine sample was taken from the Greyhound.
2. The post event swab revealed the presence of methylprednisolone. Methylprednisolone is a prohibited substance under 137 of the GWIC Greyhound Racing Rules ("**Rules**").

3. On 28 July 2022 Ms. Nieuwendyk was issued with a notice of charge and proposed disciplinary action (“**Notice**”) in relation to the charge, setting out the proposed disciplinary action to be taken and the grounds in support of that proposed disciplinary action.
4. In the Notice issued on 28 July 2022 the decision makers charged Ms. Nieuwendyk with an offence under Rule 141(1)(a) of the Greyhound Racing Rules, which reads:

Rule 141(1), Rules

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

(a) nominated to compete in an Event;

...

must present the greyhound free of any prohibited substance.

...

(3) The owner, trainer or person in charge of a greyhound presented contrary to subrule (1) of this rule shall be guilty of an offence.

5. The Notice invited Ms. Nieuwendyk to attend a hearing to enter a plea and make submissions in relation to the charge and the proposed penalty.
6. On 7 September 2022 Ms. Nieuwendyk attended the scheduled hearing with the decision makers and entered a plea of guilty.
7. In considering the matter, the decision makers considered Ms Nieuwendyks’ plea and submissions, as well as all available evidence. The decision makers found the charge proven and took the following disciplinary action against Ms Nieuwendyk:

Charge (141(1)(a)): To issue Ms. Nieuwendyk a fine in the sum of \$1000

8. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Greyhound racing penalty precedents in NSW;
 - The length of time Ms Nieuwendyk has held a registration in the greyhound racing industry, being since 2004 a period of approximately 18 years;
 - Ms Nieuwendyks’ disciplinary history – No prior breaches of this rule;
 - Ms Nieuwendyks’ plea of [guilty at the earliest opportunity
 - Other factors considered in mitigation of penalty were:
 - explanation as to the likely source of the positive result;
 - amendments to husbandry practices;

o personal/financial circumstances;

9. In addition, the Greyhound was disqualified from race eight at the Bathurst meeting on 23 May 2022 pursuant to Rule 141(4) of the Rules.

.....End.....