

**GREYHOUND WELFARE & INTEGRITY COMMISSION**  
**DISCIPLINARY ACTION DECISION**

<b>Date of decision:</b>	13 July 2022
<b>Decision-makers:</b>	Director Compliance, Policy & Legal Services, Matthew Tutt, Director Race Day Operations & Integrity, Wade Birch and Legal Officer Ms Annalese Summerson-Hingston
<b>Name of relevant person:</b>	Ms Chloe Bilal
<b>Track:</b>	Nowra
<b>Date:</b>	17 January 2022
<b>Rule no.:</b>	83(2)(a) <sup>1</sup>
<b>Charge(s):</b>	Ms Bilal presented the greyhound 'Springview Chief' ("Greyhound") for the purposes of competing in race 6 at the Nowra meeting on 17 January 2022 in circumstances where the Greyhound was not free of any prohibited substance.
<b>Prohibited Substance(s):</b>	Lignocaine and 3-hydroxylignocaine
<b>Disciplinary action taken:</b>	To suspend Ms Bilal for a period of seven (7) weeks.

**INVESTIGATION**

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 22 February 2022, the Commission conducted an investigation into the results of a post-Event urine sample taken from the greyhound, 'Springview Chief' ("Greyhound") at the Nowra meeting on 17 January 2022.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of lignocaine and 3-hydroxylignocaine.

**DECISION:**

1. Ms Bilal is a registered greyhound Owner Trainer and the trainer of the Greyhound. The Greyhound competed in race 6 of the Nowra meeting on 17 January 2022 (**Event**). Following the Event, a urine sample was taken from the Greyhound. The post-Event swab revealed the presence of lignocaine and 3-hydroxylignocaine. Lignocaine and

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<sup>1</sup> This is the applicable rule in force at the time of the offence. Rule 141(1) of the Greyhound Racing Rules as published 1 May 2022 is the comparative rule.

3-hydroxylignocaine are prohibited substances under Rule 1<sup>2</sup> of the GWIC Greyhound Racing Rules (“**Rules**”).

2. On 11 April 2022 Ms Bilal was issued with a Notice of Charge and Proposed Disciplinary Action (“**Notice**”) in relation to the matter. The Notice provided a brief of evidence for the charges.
3. In the Notice, the decision makers charged Ms Bilal with an offence 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;

...

shall present the greyhound free of any prohibited substance.

4. The Notice invited Ms Bilal to attend a scheduled hearing in order to enter a plea in relation to the charges and to make submissions in relation to the charges and any proposed penalty.
5. On 27 April 2022 Ms Bilal attended the scheduled hearing before the decision makers alongside her legal representative. Ms Bilal entered a plea of not guilty in response to the charge and her legal representative made submissions in relation to the charge, on her behalf.
6. The decision makers found the charge proven.
7. Following this, Ms Bilal’s representative sought to make written submissions in relation to penalty. Once the decision makers received and had an opportunity to consider these written submissions, the following penalty was issued against Ms Bilal:

**Charge (Rule 83(2)(a)):** To suspend Ms Bilal’s registrations for a period of seven (7) weeks.

8. In taking this disciplinary action, the decision makers considered all of the evidence and submissions, including:
  - Greyhound racing penalty precedents, with particular reference to the GWIC decisions of *Marmara*<sup>3</sup> and *Williams*<sup>4</sup>; GRNSW decision of *Whitton*<sup>5</sup> and the Racing Appeals & Disciplinary Board of Victoria decision of *Galea*<sup>6</sup>. As the decisions of Marmara and Williams were decisions of the Commission, these decisions were preferred over the precedents referred to by Ms. Bilal.

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<sup>2</sup> This is the applicable rule in force at the time of the offence. Rule 137 of the Greyhound Racing Rules as published 1 May 2022 is the comparative rule.

<sup>3</sup> GWIC decision of William Marmara dated 9 July 2021.

<sup>4</sup> GWIC decision of Allen Williams dated 4 May 2020.

<sup>5</sup> GRNSW decision of Leslie Whitton dated 20 September 2016.

<sup>6</sup> GRV decision of Paul Galea dated 13 May 2019.

- The length of time Ms Bilal has held a registration, being since June 2021, a period of approximately one (1) year, seven (7) months at the time of the offending conduct;
- Ms Bilal's lack of disciplinary history in relation to any offending conduct;
- Ms Bilal's plea of not guilty, noting the submission that this plea was made on the basis that Ms Bilal wished to test the evidence before the decision makers;
- The submissions made on Ms Bilal's behalf in mitigation of penalty, including in relation to the financial impact a suspension may have on her, her concern for the welfare of her greyhounds should a suspension be imposed, and the fact that she has cooperated wholeheartedly with GWIC's investigation into the matter; and
- The submissions made in relation to an error on the chain of custody document, being an anomaly of the bag seal numbers. Whilst the decision makers noted this anomaly, the decision makers considered the evidence as a whole, which contained numerous references to both the sample identity numbers and the swab bag seal numbers, with the numbers aligning on all other occasions. Accordingly, the decision makers were satisfied that the anomaly on the chain of custody document was one that did not affect the integrity of the sample or its results.

9. In addition, the Greyhound was disqualified from race 6 at the Nowra meeting on 17 January 2022 pursuant to Rule 141(4) of the Rules.

.....End.....