



GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 24 February 2022

Decision-makers: Director Compliance, Policy & Legal, Matthew Tutt, and Legal Officer, Annalese Summerson-Hingston.

Name of relevant person: Mr Michael Finn

Track: Wagga Wagga

Date: 1 October 2021

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

Charge(s): (1) Mr Finn presented the greyhound 'Tiggerlong Al' ("**Greyhound**") for the purposes of competing in race 7 at the Wagga Wagga meeting on 1 October 2021 in circumstances where the Greyhound was not free of any prohibited substance;

Prohibited Substance(s): Cobalt above the mass concentration limit of 100 nanograms per millilitre

Disciplinary action taken: 9-week suspension

Charge

Following receipt of a certificate of analysis from Racing Analytical Services Limited dated 5 November 2021, the Commission commenced an investigation into the results of a post-race urine sample taken from the greyhound, 'Tiggerlong Al' ("**Greyhound**") at the Wagga Wagga meeting on 1 October 2021.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory, confirming the presence of cobalt above 100ng/ml in the sample.

Evidence, plea and submissions

On 11 February 2022 Mr Finn was issued with a notice of 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. Mr Finn was also provided with a brief of evidence.

On 24 February 2022 Mr Finn attended the scheduled hearing with the decision makers and entered a plea of guilty and made submissions.

The decision makers considered Mr Finn's plea and submissions and issue the following decision.

DECISION:

1. Mr Finn is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 7 of the Wagga Wagga meeting on 1 October 2021. Following the Event, a urine sample was taken from the Greyhound.
2. The post-Event swab revealed the presence of cobalt above the threshold. Cobalt above a mass concentration of 100ng/ml is a prohibited substance under Rule 83(10) of the Rules.
3. The decision makers charged Mr Finn with the 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 decision makers found the charge proven and took the following disciplinary action against Mr Finn

Charge (Rule 83(2)(a), 1 October 2021):	To suspend Mr Finn's registrations for a period of 9 weeks;
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5. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Greyhound racing penalty precedents in NSW;
 - The length of time Mr Finn has held a trainer registration, being since 1993, a period of approximately 29 years;
 - Mr Finn's disciplinary history – noting his lack of any conduct or substance breaches in his long-held association with the greyhound industry;
 - Mr Finn's submissions in mitigation of penalty, including his review of and amendment to his animal husbandry practices; and
 - Mr Finn's plea of guilty at the earliest opportunity.
6. Mr Finn's penalty was deferred in accordance with Rule 95(5) of the Rules, with the suspension period to commence on 26 February 2022.
7. In addition, the Greyhound was disqualified from race 7 at the Wagga Wagga meeting on 1 October 2021 pursuant to Rule 83(4) of the Rules.

.....End.....