

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 27 September 2024
Decision-makers: Kevin Adams and Sam Woolaston
Name of relevant person: Mr Jimmy John Magnisalis
Track: Gosford GBOTA
Date: 28 May 2024
Rule no.: Rule 141(1)(a) and Rule 148(2)
Charge(s): **Charge 1 – Rule 141(1)(a)**

Mr Magnisalis, while in charge of Remission (“greyhound”), presented the greyhound for the purpose of competing in race 3 at the Gosford meeting on 28 May 2024 in circumstances where the greyhound was not free of any prohibited substance.

The prohibited substances detected in the sample of urine taken from the Greyhound following the Event was Amphetamine, Hydroxyamphetamine, Methamphetamine and Hydroxymethamphetamine.

Charge 2 – Rule 148(2)

On 4 July 2024, Mr Magnisalis was identified as having a prohibited substance in his possession at his property which is being used to own/train and conduct activities in relation to the greyhound racing industry.

Plea: Charge 1 – Guilty plea
Charge 2 – Guilty plea

Disciplinary action taken: Charge 1 – To impose a 16-month disqualification on the participant’s registrations; and for the greyhound to be disqualified from event and all money that was gained to be refunded in full

Charge 2 – To impose of fine of \$375

DECISION

1. Mr Magnisalis was at all relevant times, a registered Owner Trainer with the Greyhound Welfare and Integrity Commission (“**Commission**”).

2. On 13 September 2024, following an investigation by the Commission, a Notice of charge and proposed disciplinary action (“**Notice**”) was issued to Mr Magnisalis. The Notice issued 2 charges under the Rule alleging breaches of the following:

Rule 141(1)(a), 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.

Rule 148(2)

(2) A person must not provide, acquire, attempt to acquire, administer, attempt to administer or allow to be administered to a greyhound, any prohibited substance, exempted substance or other substance (including other medication, medicine, injectable substance, supplement, herbal product or therapeutic good), that is not labelled, prescribed, dispensed and obtained in accordance with relevant Commonwealth, state and territory legislation.

3. Mr Magnisalis’ attended a hearing on 17 October 2023 and entered a plea of guilty.
4. The decision makers found the charge/s proven and took the following disciplinary action against Mr Magnisalis:

Charge 1: To disqualify Mr Magnisalis for a period of 16-months to commence 9 October 2024 and conclude 10 February 2026; and to disqualify the greyhound from the event and order all money that was gained be fully refunded; and

Charge 2: To impose a fine of \$375

5. In taking this disciplinary action, the decision makers considered all evidence, including:
 - Greyhound racing penalty precedents in NSW;
 - The Commission’s Penalty Guidelines, in force from 1 January 2022;
 - The length of time Mr Magnisalis has held a registration, being between 1989 – Present, a period of approximately 35 years;
 - Mr Magnisalis’ disciplinary history – he does have previous like matters on his record;
 - Mr Magnisalis’ plea of guilty at the earliest opportunity; and
 - Mr Magnisalis’ submissions in mitigation of penalty, including in relation to the circumstances of the offending, his personal circumstances and his remorse.
6. The length of time Mr Magnisalis has held a registration in the greyhound racing industry, together with his plea and his contribution to the industry were significant factors in mitigation considered by the decision makers and were a relevant consideration in reducing the proposed penalty from 2-year disqualification.

.....End.....