

**DECISION ON AN INTERNAL REVIEW APPLICATION UNDER
SECTION 91 OF THE GREYHOUND RACING ACT 2017**

Matter for determination	Decision dated 11 December 2024 of decision makers.
Decision Makers	Wade Birch – Chief Operating Officer; and Zane Turner – Senior Steward
Internal review decision date	28 January 2025
Internal review decision by	Mr Brenton (Alby) Taylor Chief Commissioner, GWIC
Internal review decision summary	Vary decision of 11 December 2024 to suspend the remaining portion of the suspension imposed for a period of 12 months.

REASONS FOR DECISION

1. These are the reasons for decision following an application by Mr Stuart David MR BARRON [**Mr Barron**] for internal review under the *Greyhound Racing Act 2017* (“**Act**”) of a decision of being Chief Operating Officer, Wade Birch and Senior Steward Zane Turner of the Greyhound Welfare & Integrity Commission (“**Commission**” or “**GWIC**”). That decision was to issue a suspension of three (3) months, with the suspension to commence 12 December 2024 and to expire 12 March 2025.
2. This is a reviewable decision within the meaning of section 91(1) of the Act. As I confirm I was not involved in making the reviewable decision, and I am a qualified person in accordance with section 91(5) of the Act. I lastly confirm I have dealt with this application for review.
3. Under section 91(7) of the Act, an internal reviewer is empowered to:
 - Confirm the reviewable decision the subject of the application; or
 - Vary the reviewable decision; or
 - Revoke the reviewable decision.

Background

4. Mr Barron was a registered Public Trainer within the greyhound racing industry at all material times.
5. On 10 August 2024 Mr Barron presented the greyhound “Irinka George” (“**Greyhound**”) for the purpose of competing in Race 3 at the Wentworth Park. Following the running of the race, a urine sample was taken from the Greyhound. Upon analysis, that urine sample swab was found to contain Sotalol, which is a prohibited substance pursuant to Rule 137 of the Greyhound Racing Rules (“**Rules**”).

6. On 15 November 2024, Mr Barron was issued with a Notice of Charge and Proposed Disciplinary Action (“**Notice**”) charging him with a breach of Rule 141(1)(a). The rule reads:

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.

7. Prior to the hearing on 9 December 2024, Mr Barron contacted decision makers to enter a plea of guilty and provide written submissions in respect of penalty. Mr Barron attended the hearing on 9 December via Microsoft Teams and made verbal submissions, and also provided additional written submissions following the hearing.
8. On 11 December 2024, the decision makers formally found the charge proven and determined to impose a period of suspension of three months.

Internal Review Application

9. On 6 January 2025 Mr Barron made an application for an internal review of the decision.
10. In summary, Mr Barron submits that:

- The amount of Sotalol detected in the greyhound was very small
- The offence occurred as a result of medication that he was taking being inadvertently transferred to the Greyhound;
- As a professional greyhound trainer he relies upon the income derives from racing greyhounds
- Following notification of the positive swab, he stopped racing of his own accord.

Decision

11. The internal review has been conducted on the papers. As the internal reviewer, I have had regard to all the evidence considered by the decision makers, together with the internal review materials provided by Mr Barron.
12. The Commission’s Penalty Guidelines provide for a penalty starting point of four months’ suspension for a first offence involving a Category Two substance (Sotalol is classed as a Category 2 substance).
13. The decision makers initially proposed a penalty of four months suspension. As he pleaded guilty, Mr Barron was eligible for a penalty “discount” of 25%, resulting in a suspension of

three months. Mr Barron's breach was also considered as a first offence, though he was previously found to have breached rules relating to prohibited substances, in 2015.

14. I note Mr Barron's submission that the positive swab likely occurred as a result of his own medications being inadvertently transferred to the Greyhound. As I have explained in several decisions, a breach of R141 (1)(a) is an offence of absolute liability. The detection of the substance is sufficient to establish the offence; how the substance came to be present in the greyhound is relevant only to the matter of penalty.
15. I note that the decision makers made no finding in relation to the route of administration of the prohibited substance. I similarly consider that there is insufficient evidence available on which to make such a determination.
16. I have previously commented that it is incumbent upon trainers to avoid inadvertently transferring a substance used in humans to a greyhound, to avoid incurring a positive swab. Professional trainers who are heavily reliant on greyhound racing should be particularly mindful of this risk, and take appropriate measures to mitigate it.
17. Having regard for all these matters, I believe that in the totality of the circumstances an appropriate penalty is a suspension of twelve (12) weeks. I note Mr Barron has already served the period since 12 December 2024.
18. I am though persuaded to give Mr Barron some relief due to the circumstances he has identified and the likelihood of an inadvertent transference from himself to the Greyhound.
19. For these reasons, I have determined to wholly suspend the remaining six (6) weeks of Mr Barron's suspension for a period of twelve months. However, if Mr Barron offends again, particularly during the period of his suspension, he should expect limited leniency to be afforded towards him.

Brenton (Alby) Taylor
Chief Commissioner

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