

GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	11 March 2019
Decision-maker:	A/Chief Steward, Gail Thorsby
Name of relevant person:	Miss. Ashley Marshall
Track:	Richmond
Date:	2 November 2018
Rule no.:	GAR 83(2)(a)
Charge(s):	(1) Miss. Marshall presented the greyhound 'Black Dakota' (" Greyhound ") for the purposes of competing in race 4 at the Richmond meeting on 2 November 2018 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited substance(s):	Cobalt
Disciplinary action taken:	15-week suspension

REPORT:

Following receipt of a certificate of analysis from the Racing Analytical Services Laboratory, the Commission conducted an investigation into the results of a pre-race urine sample taken from the greyhound, 'Black Dakota' ("**Greyhound**") at the Richmond meeting on 2 November 2018.

Further analysis of the sample was conducted by the Queensland Racing Integrity Commission Racing Science Centre, confirming the presence of cobalt at a mass concentration greater of 134 nanograms per millilitre.

After considering the evidence, the Commission charged Miss. Marshall with a breach of Greyhounds Australasia Rule ("**GAR**") 83(2)(a) given that the pre-race urine sample taken from the Greyhound confirmed the presence of prohibited substance cobalt above the threshold imposed by GAR 83(10) of 100 nanograms per millilitre.

Miss. Marshall admitted the charge at an early opportunity.

The disciplinary action was conducted in writing in accordance with the participant's election.

DECISION:

1. Miss. Marshall is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound was presented for race 4 at the Richmond meeting on 2 November 2018 (“**Event**”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of cobalt at a mass concentration of 134 nanograms per millilitre. Cobalt, at a mass concentration greater than 100 nanograms per millilitre is a prohibited substance under GAR 83(10) of the GWIC Greyhound Racing Rules. Cobalt is a category 4 prohibited substance under the NSW greyhound racing penalty guidelines.
3. The Commission charged Miss. Marshall under GAR 83(2)(a), which reads:
 - (2) The owner, trainer or person in charge of a greyhound-
 - (a) nominated to compete in an Event;
 - (b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
 - (c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revokedshall present the greyhound free of any prohibited substance.
4. Miss. Marshall admitted the charge at an early opportunity, provided written submissions and elected to have the disciplinary proceeding conducted in writing.
5. The Commission found the charge proven and took the following disciplinary action against Miss. Marshall:

To suspend her trainer registration for a period of 15 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Miss. Marshall has been a registered trainer for a relatively short period of approximately 3 years;
 - Miss. Marshall has no history of any prohibited substance matters;
 - NSW greyhound racing penalty guidelines and precedents;
 - Miss. Marshall’s admission at an early opportunity;
 - Miss. Marshall’s written submissions in mitigation of penalty.
7. In addition, the Greyhound was disqualified from race 4 at the Richmond meeting on 2 November 2018 pursuant to GAR 83(4), which reads:
 - (4) A greyhound presented for an Event pursuant to sub-rules (1) or (2) shall be disqualified from the Event or any benefit derived from a trial or test.

.....End.....