



GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	4 October 2019
Decision-maker:	Chief Executive Officer, Judith Lind
Name of relevant person:	Mrs Marie Burton
Track:	Wentworth Park
Date:	27 February 2019
Rule no.:	Rule 83(2)(a)
Charge(s):	(1) Ms Burton presented the greyhound 'Winsome Stride' (" Greyhound ") for the purposes of competing in race 5 at the Wentworth Park meeting on 27 February 2019 in circumstances where the Greyhound was not free of any prohibited substance.
Prohibited substance(s):	Arsenic
Disciplinary action taken:	\$1,500 fine

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, 'Winsome Stride' ("**Greyhound**") at the Wentworth Park meeting on 27 February 2019.

Further analysis of the sample was conducted by the Racing Chemistry Laboratory, confirming the presence of arsenic at a mass concentration of 1100 nanograms per millilitre.

After considering the evidence, the Commission charged Mrs Burton with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules given that pre-race urine sample taken from the Greyhound confirmed the presence of the prohibited substance arsenic above the threshold imposed by Rule 83(11) of 800 nanograms per millilitre.

Mrs Burton admitted the charge at the earliest opportunity.

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

DECISION:

1. Mrs Burton is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound was presented for race 5 at the Wentworth Park meeting on 27 February 2019 (“**Event**”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of arsenic at a mass concentration of 1100 nanograms per millilitre. Arsenic, at a mass concentration greater than 800 nanograms per millilitre is a prohibited substance under Rule 83(11) of the Commission’s Greyhound Racing Rules and a category 5 prohibited substance under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mrs Burton 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;
 - (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. Mrs Burton admitted the charge, 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 Mrs Burton:

To impose a fine in the sum of \$1,500.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mrs Burton has been a registered trainer for over 22 years;
 - Mrs Burton has no history of any prohibited substance matters;
 - Mrs Burton’s admission of the charge at the earliest opportunity;
 - NSW greyhound racing penalty guidelines and precedents;
 - Mrs Burton’s written submissions in mitigation of penalty, including her clear record and confirmation that she has reviewed and amended her animal husbandry practices.
7. In addition, the Greyhound was disqualified from race 5 at the Wentworth Park meeting on 27 February 2019 pursuant to Rule 83(4).

.....End.....