



GREYHOUND WELFARE & INTEGRITY COMMISSION

DISCIPLINARY ACTION DECISION

Date of decision:	4 October 2019
Decision-maker:	Chief Executive Officer, Judith Lind
Name of relevant person:	Mr Edward Pomfrett
Track:	Gunnedah
Date:	2 June 2019
Rule no.:	Rule 83(2)(a)
Charge(s):	(1) Mr Pomfrett presented the greyhound 'Pure Lee Red' (" Greyhound ") for the purposes of competing in race 10 at the Gunnedah meeting on 2 June 2019 in circumstances where the Greyhound was not free of any prohibited substance
Prohibited substance(s):	Caffeine and its metabolite theobromine
Disciplinary action taken:	10 week suspension, with 6 weeks suspended for 12 months (conditionally)

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, 'Pure Lee Red' ("**Greyhound**") at the Gunnedah meeting on 2 June 2019.

Further analysis of the sample was conducted by the Australian Racing Forensic Laboratory, confirming the presence of caffeine and its metabolite theobromine.

After considering the evidence, the Commission charged Mr Pomfrett with a breach of Rule 83(2)(a) of the Commission's Greyhound Racing Rules ("**Rules**") given that the pre-race urine sample taken from the Greyhound confirmed the presence of prohibited substances, caffeine and its metabolite theobromine.

Mr Pomfrett admitted the charge at the earliest opportunity.

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

DECISION:

1. Mr Pomfrett is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound was presented for race 10 at the Gunnedah meeting on 2 June 2019 (“Event”) and a pre-Event urine sample was taken from the Greyhound.
2. The pre-Event swab revealed the presence of caffeine and its metabolite theobromine. Caffeine and theobromine are prohibited substances under Rule 1 of the Commission’s Greyhound Racing Rules and category 4 prohibited substances under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mr Pomfrett 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. Mr Pomfrett 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 Mr Pomfrett:

To suspend his trainer registration for a period of 10 weeks, with 6 weeks suspended for a period of 12 months on the condition that, within that 12 month period, Mr Pomfrett does not breach Rule 83(2) of the GWIC Greyhound Racing Rules.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - The length of Mr Pomfrett’s registration history, having been a registered trainer for over 60 years. This was considered as an exceptional circumstance and a significant factor considered in Mr Pomfrett’s favour;
 - Mr Pomfrett has no history of any prohibited substance matters;
 - NSW greyhound racing penalty guidelines and precedents, in particular a similar case of John Field (GWIC, 23 July 2019) where the penalty issued diverted from the precedents of like matters;
 - Mr Pomfrett’s written submissions in mitigation of penalty, including confirmation he has reviewed his animal husbandry practices and identified the source as a husbandry failure, his remorse and personal circumstances.
7. In addition, the Greyhound was disqualified from race 10 at the Gunnedah meeting on 2 June 2019 pursuant to Rule 83(4).

.....End.....