

GREYHOUND WELFARE & INTEGRITY COMMISSION
DISCIPLINARY ACTION DECISION

Date of decision: 14 November 2019

Decision-maker: Chief Executive Officer, Judith Lind

Name of relevant person: Mrs Susan Burgess

Track: Wagga Wagga

Date: 5 July 2019

Rule no.: Rule 83(2)(a)

Charge(s): (1) Mrs Burgess presented the greyhound 'Bloomin' Rose' ("Greyhound") for the purposes of competing in race 9 at the Wagga Wagga meeting on 5 July 2019 in circumstances where the Greyhound was not free of any prohibited substance.

Prohibited substance(s): Caffeine and its metabolites theophylline, paraxanthine and theobromine

Disciplinary action taken: 12-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, 'Bloomin' Rose' ("Greyhound") at the Wagga Wagga meeting on 5 July 2019.

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

After considering the evidence, the Commission charged Mrs Burgess 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 substance, caffeine and its metabolites theophylline, paraxanthine and theobromine.

Mrs Burgess admitted the charge at the earliest opportunity.

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

DECISION:

1. Mrs Burgess is a registered greyhound trainer and the trainer of the Greyhound. The Greyhound competed in race 9 at the Wagga Wagga meeting on 5 July 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 metabolites theophylline, paraxanthine and theobromine. Caffeine and its metabolites theophylline, paraxanthine and theobromine are prohibited substances under GAR 1 of the GWIC Greyhound Racing Rules and category 4 prohibited substances under the NSW greyhound racing penalty guidelines.
3. The Commission charged Mrs Burgess 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 Burgess admitted the charge at the earliest opportunity 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 Burgess:

To suspend her trainer registration for a period of 12 weeks.
6. In taking this disciplinary action, the Commission considered all evidence, including:
 - Mrs Burgess has been a registered participant in the industry for a significant period of time of approximately 47 years;
 - Mrs Burgess has no history of any prohibited substance matters;
 - NSW greyhound racing penalty guidelines and precedents;
 - Mrs Burgess’ admission at the earliest opportunity.
7. In addition, the Greyhound was disqualified from race 9 at the Wagga Wagga meeting on 5 July 2019 pursuant to Rule 83(4).

.....End.....